

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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JIMMIE MECCYA WILLIAMS,
Plaintiff,
vs.
TADD LAZARUS, M.D., P.C., ET AL.
and
ST CLARE'S HOSPITAL AND HEALTH
CENTER,
Defendants.

: Case No.: 05 Civ. 5909 (HB)
:
:
**DECLARATION OF JOSHUA R.
GELLER IN SUPPORT OF
PLAINTIFF'S MOTION IN LIMINE
TO EXCLUDE EVIDENCE OF OR
REFERENCE TO ANY PRIOR OR
SUBSEQUENT "BAD ACTS" BY OR
CRIMINAL CONVICTIONS OF
PLAINTIFF**
:
:
:
-----X

I, Joshua R. Geller, submit this declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

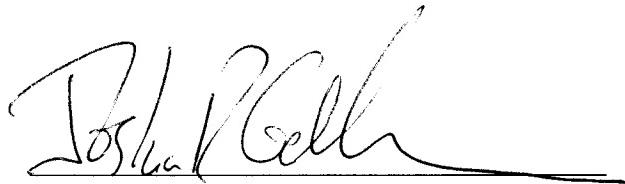
1. I am an associate of the law firm Simpson Thacher & Bartlett LLP, counsel for Plaintiff Jimmie Meccya Williams in the above-captioned action. I make this declaration in support of Plaintiff's Motion in Limine to Exclude Evidence of or Reference to Any Prior or Subsequent "Bad Acts" by or Criminal Convictions of Plaintiff. I have personal knowledge of the facts stated herein, and, if called to testify as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of the transcript of the November 17, 2006 deposition of Mr. Williams in this case.

3. On February 9, 2007, I spoke by telephone with Ms. Rachel Poritz, Esq. of the law firm of Silverson, Pareres & Lombardi LLP, counsel for Defendant St. Clare's Hospital and Health Center ("St. Clare's"). Ms. Poritz indicated to me that St. Clare's intends to introduce evidence of Mr. Williams' criminal convictions at the trial of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 14, 2007



Joshua R. Geller

EXHIBIT A

COPY

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 JIMMIE MECCYA WILLIAMS,

5 Plaintiff,
6 05 Civ. 5909
7 (RB)
8 -against-

9 TADD LAZARUS and ST. CLARE'S HOSPITAL
10 and HEALTH CENTER,

11 Defendants.

12 November 17, 2006
13 10:05 A.M.

14
15 Deposition of JIMMIE MECCYA
16 WILLIAMS, taken by the Defendants,
17 pursuant to Court Order, held at the
18 offices of Simpson, Thacher & Bartlett,
19 LLP, 425 Lexington Avenue, New York, New
20 York 10017, before Joseph Maltzmacher, a
21 shorthand reporter and Notary Public
22 within and for the State of New York.

1
2 APPEARANCES:

3
4 SIMPSON, THACHER & BARTLETT, LLP
5 Attorneys for the Plaintiff
6 425 Lexington Avenue
7 New York, New York 10017
8 BY: JOSHUA GELLER, ESQ.

9 -and-
10 EMMA LINDSAY, ESQ.

11
12
13 SILVERSON, PARKES & LOMBARDI, LLP, ESQ.
14 Attorneys for Defendants
15 300 East 42nd Street
16 New York, New York 10017
17 BY: ROBERT SILVERSON, ESQ.

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1
2 IT IS HEREBY STIPULATED AND AGREED,
3 by and among the attorneys for the respective
4 parties here, that the sealing, filing and
5 certification of the within deposition be
6 waived; and that such deposition may be signed
7 and sworn to before any officer authorized to
8 administer an oath with the same force and
9 effect as if signed and sworn to before the
10 officer whom said deposition is taken;

11 IT IS FURTHER STIPULATED AND
12 AGREED, that all objections, except as to form,
13 are reserved to the trial;

1
2 Williams
3 JIMMIE MECCYA WILLIAMS,
4 called as a witness, after having first been
5 duly sworn by a Notary Public of the State of
6 New York, was examined and testified as follows:
7 EXAMINATION BY
8 MR. SILVERSON:

9 Q. What is your name?
10 A. Jimmie Meccya Williams.
11 Q. Where do you reside?
12 A. 20 West Walnut Street, Richwood,
West Virginia 26261.

13 Q. Good morning Mr. Williams, I'm
going to be asking you some questions regarding
the matter of Williams against St. Clare's
Hospital and others.

14 If there is a question that I ask you
15 that you don't understand or that needs
repetition or clarification, please indicate
16 that to me and I'll try to rephrase the question
or ask another one.

17 If there is anything you don't understand
18 or you want to confer with your attorney for any
19 reason, please let me know and we'll stop the
20 deposition at that point.

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1 Williams
 2 If you need a break for any reason please
 3 indicate that and we'll stop; is that
 4 understood?

5 A. Yes.

6 Q. How long have you lived at the
 7 address that you've just given?

8 A. I've lived at that address this
 9 particular time, since October of this year.

10 Q. Prior to that, where did you live?

11 A. 311 1/2 Highland Street, Beckley,
 12 West Virginia.

13 Q. How long had you lived at that
 14 address?

15 A. Seven months.

16 Q. So that would be, if my math is
 17 correct, February or March of '06?

18 A. Correct.

19 Q. Somewhere in that time frame?

20 A. Yes.

21 Q. Is that a rental, is it an
 22 apartment or house?

23 A. It's a one bedroom apartment over a
 24 two car garage.

25 Q. Prior to that, where did you live?

1 Williams
 2 P.O. Box 1, Huttonsville, West
 3 Virginia.

4 Q. That's a Federal or state prison?

5 A. It's a state prison.

6 Q. When were you released from
 7 Huttonsville?

8 A. August 8, 2005.

9 Q. So from August 8 of 2005, you moved
 10 to Highland Street or somewhere else?

11 A. Highland Street.

12 Q. You then moved in October to
 13 Richwood, West Virginia; is that correct?

14 A. That's correct.

15 Q. Was that an apartment or a home?

16 A. That's a home.

17 Q. Do you own that home?

18 A. That residence belongs to my
 19 mother.

20 Q. Can I have your date of birth?

21 A. 9/13/1963.

22 Q. Your social security number?

23 A. 089-56-5467.

24 Q. Mr. Williams, I want to ask you
 25 some questions about your prior medical history.

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1 Williams
 2 In that regard, there was reference in some of
 3 your medical records to an accident or an
 4 incident that occurred in 1984 regarding your
 5 arms or an injury to your arms or your upper
 6 body somewhere. Can you tell me something about
 7 that?

8 A. I have never had an accident in
 9 '84. Can you clarify?

10 Q. Yes, I'll be glad to.

11 There are some records, I believe from
 12 one of the prison facilities that you were in,
 13 by way of medical history that you gave,
 14 indicating that you had numbness in your arms
 15 and there was an on or about date of 1984. Does
 16 that refresh your memory as to whether or not
 17 you sustained any injury to your arms at that
 18 time or close to that time?

19 A. In 1984 -- the only injury I
 20 sustained in 1984 was a burn that I obtained
 21 from doing construction.

22 Q. I believe you were an iron worker
 23 at one point?

24 A. Yes; that's correct.

25 Q. In the '80s?

1 Williams
 2 A. Yes.
 3 Q. Did you ever have any injury
 4 on-the-job where you were disabled for any
 5 period of time during the 1980s, more
 6 specifically injury to your upper body or to
 7 your arms?

8 A. There was another incident, yes.

9 Q. When was that?

10 A. I can't remember exactly what time,
 11 but I remember there was another injury.

12 Q. Can you describe for me in brief or
 13 in substance what that injury was?

14 A. It was my upper back.

15 What else do you want to know?

16 Q. How did the injury occur?

17 A. The injury occurred when we had to
 18 move a girder. Now a girder is a beam that is
 19 constructed with rebar. At this particular
 20 time, I was the foreman on the job. This beam
 21 was 60 feet long. And you use a crane to move
 22 it. And the injury that I sustained was because
 23 the beam -- when the crane picks it up, it's
 24 like spaghetti, because it's so long. And as we
 25 were setting the beam in its form, I sustained

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1 Williams 9
 2 an injury to my upper back.
 3 Q. Did the beam strike some part of
 4 your body?
 5 A. The beam never touched me.
 6 Q. Did you fall off, injuring your
 7 back?
 8 A. No. What happened, it was
 9 basically trying to put a beam inside a girder.
 10 And it's moving like spaghetti and it's 60 feet
 11 long. And it's shaking. What happened, I would
 12 say, that it like jerked my arm to where my
 13 upper back was injured.
 14 Q. Were you hospitalized or did you
 15 receive medical treatment for the injury?
 16 A. Therapy.
 17 Q. When you say therapy, meaning
 18 physical therapy?
 19 A. Yes.
 20 Q. For what period of time were you in
 21 therapy; in terms of weeks or months?
 22 A. In terms of weeks, six weeks.
 23 Q. Did you file a workers'
 24 compensation claim at that time for your injury?
 25 A. No.

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1 Williams 10
 2 Q. In terms of your arm, which arm was
 3 it that was injured?
 4 A. My right.
 5 Q. The extent of the injury was that
 6 arm casted, placed in a sling or anything else?
 7 A. No.
 8 Q. Can you describe, if you recall,
 9 what sensations, if any, you were feeling in
 10 your arm or something else?
 11 A. Pain.
 12 Q. Did the therapy help the arm?
 13 A. Yes.
 14 Q. Did you have any reoccurrence of
 15 that injury in terms of future pain after that
 16 six week period?
 17 A. None.
 18 Q. Do you recall, was it in the early
 19 1980s somewhere, in terms of time?
 20 A. On or around the year of '85.
 21 Q. I'm still referring to the 1980s.
 22 At any time during the 1980s up until 1990, were
 23 you hospitalized for any medical condition?
 24 A. Hospitalized for any medical
 25 condition, no. I don't recall.

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1 Williams 11
 2 Q. From, let's call it, 1985 to 1990
 3 were you working in the construction field?
 4 A. Yes.
 5 Q. At any time during that period of
 6 1985 to 1990, were you incarcerated for any
 7 reason?
 8 A. 1985 to 1990, no.
 9 Q. In terms of your emotional health
 10 during that time period, were you under the care
 11 or treatment of any mental health professional,
 12 either psychiatrist, psychologist or social
 13 worker for any condition?
 14 A. Absolutely not.
 15 Q. Did there come a time in 1990, that
 16 you were hospitalized for a suicide attempt?
 17 A. Absolutely not.
 18 Q. Did you ever tell anyone, either a
 19 medical professional or psychiatrist or
 20 psychologist, that you had been hospitalized and
 21 treated for depression and attempted suicide by
 22 taking an overdose of medication?
 23 MR. GELLER: Object to the compound
 24 question. You can answer if you
 25 understand.

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1 Williams 12
 2 MR. SILVERSON: Do you understand
 3 the question?
 4 Q. I can shorten it if you would like.
 5 A. Please.
 6 Q. You indicated you were not under
 7 the care of a psychiatrist or a psychologist; is
 8 that correct, in the 1990 area, 1989, 1990,
 9 1991?
 10 A. I was not under the care of any
 11 psychiatrist or any other medical treatment
 12 program.
 13 Q. Did there come a time on or about
 14 those dates, that you attempted suicide by
 15 taking pills?
 16 A. During what year?
 17 Q. More specifically to 1990, but if
 18 there is another time period that this occurred,
 19 I'm asking you if you have any recollection of
 20 that?
 21 A. I have no recollection of ever
 22 trying to commit suicide.
 23 Q. Did you ever tell anyone, at any of
 24 the correctional institutions that you were
 25 housed at, that you had attempted suicide in

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Williams

that you were arrested and convicted of a crime?

A. I'm not sure.

Q. By way of refreshing your recollection, were you incarcerated at Rikers Island in New York City on December 8, 1993; on or about that date?

A. Yes.

Q. What were you either arrested for and ultimately convicted of?

A. I don't know.

Q. Did there come a time that you were sentenced, based on either a conviction or by plea or by verdict to a term in jail?

A. Do you have an idea of what that term was.

Q. I do. From December 22 of 1993 to October of 1995, I believe starting at either Oneida Correction and to Downstate and then ultimately to Franklin.

A. Yes, I remember.

Q. Can you give me some detail of what you were convicted for and what your sentence was?

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narrative. Can you ask more specific questions.

MR. SILVERSON: I can.

Q. What were you convicted for?

A. Welfare fraud.

Q. Was that a felony?

A. Yes.

Q. Were you sentenced to a term in prison as a result of your plea to the welfare fraud?

A. I was sentenced, yes.

Q. What was your sentence?

A. No less than 1, no more than 3.

Q. Was this in New York State or someplace else?

A. This was right here in Manhattan.

Q. Where did you go by way of correctional facilities?

A. I started out on Rikers Island. Next stop was Downstate. After Downstate, it was Oneida. After Oneida, I went to Six month shock camp, where it was located I can't remember.

Q. That was a confined facility?

1 Williams

2 A. It was program that you do six

3 months, come out, do shock parole. I didn't

4 want the program. After that, I went to

5 Dannemora. After Dannemora I went to Franklin.

6 From Franklin, I was released.

7 Q. Do you recall your release date?

8 A. No, I do not.

9 Q. Would it refresh your memory if I

10 told you it was in October of 1995?

11 A. No, it would not. It would not

12 refresh my memory.

13 Q. Would it be in the year of 1995

14 that you were released, you indicated it was a 1

15 to 3 sentence?

16 A. Yes.

17 Q. Did you serve roughly two-thirds of

18 that sentence?

19 A. Yes.

20 Q. Somewhere between 1994 and 1995 you

21 were released, would that be a fair statement?

22 A. I can't say if it would be fair.

23 Q. Do you have any documents that

24 would refresh your recollection?

25 I'll leave a blank space in the

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1 Williams 17
 2 transcript and request you fill in the date.
 3 (INSERT)

4 Q. Do you have documents at home?
 5 A. No, I do not.
 6 Q. I'm just trying to establish when
 7 you got out?

8 A. No.

9 Q. During the time that you were in
 10 these various facilities, did you have any
 11 medical problems at all?

12 A. I had blood in my urine.

13 Q. When was that?

14 A. That was when I was at shock. The
 15 name of the facility I don't know.

16 Q. Did you receive medical treatment
 17 for that condition?

18 A. No. I was just told not to work
 19 out so hard.

20 Q. Did you have any complaints of
 21 either chronic constipation or abdominal pain
 22 during that time period?

23 A. Chronic constipation.

24 Q. When was that, if you can time
 25 frame it; that was while you were in the

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1 Williams 19
 2 that you hadn't had a bowel movement in 9 to 10
 3 days, does that refresh your memory?

4 A. Yes.

5 Q. Did you also at that same time
 6 indicate that you developed hemorrhoids as a
 7 result of constipation?

8 A. I have never made the assumption of
 9 having hemorrhoids. However, it was suggested
 10 to me that that maybe the problem.

11 Q. Did you ever make a complaint to
 12 anyone while at the correction facility with
 13 regard to the constipation, regarding finding
 14 blood in the toilet after you attempted to make
 15 a bowel movement?

16 A. Yes.

17 Q. Was it after that that they told
 18 you that it was possibly a hemorrhoidal
 19 condition?

20 A. I can't answer that. I don't know.

21 Q. Also, in either years between 1993
 22 and 1995 while incarcerated, did you make any
 23 complaints of stomach pain and pain on the side
 24 of your body regarding your liver?

25 A. The only time that I can recall

1 Williams 18
 2 facilities, correct?

3 A. The chronic constipation was during
 4 the time that I was -- started around the time I
 5 was at Oneida.

6 Q. Prior to that, did you have any
 7 history in your background of having difficulty
 8 with bowel movements or constipation?

9 A. Not that I can recall, no.

10 Q. So the condition started at Oneida
 11 and then you were treated for the condition?

12 A. No.

13 Q. Did you take any medication to
 14 relieve the constipation, such as milk of
 15 magnesia or a laxative or something else?

16 A. Occasionally a laxative, yes.

17 Q. Did you ever make any complaints
 18 during the time period you had this constipation
 19 of hemorrhoids?

20 A. No.

21 Q. No, you didn't make any complaints,
 22 or you don't recall?

23 A. No, I didn't make any complaints.

24 Q. Do you ever recall making a
 25 complaint to someone at the correction facility

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1 Williams 19
 2 that you hadn't had a bowel movement in 9 to 10
 3 days, does that refresh your memory?

4 A. Yes.

5 Q. Did you also at that same time
 6 indicate that you developed hemorrhoids as a
 7 result of constipation?

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 9 having hemorrhoids. However, it was suggested
 10 to me that that maybe the problem.

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 12 anyone while at the correction facility with
 13 regard to the constipation, regarding finding
 14 blood in the toilet after you attempted to make
 15 a bowel movement?

16 A. Yes.

17 Q. Was it after that that they told
 18 you that it was possibly a hemorrhoidal
 19 condition?

20 A. I can't answer that. I don't know.

21 Q. Also, in either years between 1993
 22 and 1995 while incarcerated, did you make any
 23 complaints of stomach pain and pain on the side
 24 of your body regarding your liver?

25 A. The only time that I can recall

1 Williams 20
 2 making an issue of my stomach is during
 3 constipation. The medical staff at Downstate
 4 recommended that I do a liver biopsy.

5 Q. Why was that, if you know?

6 A. When you're incarcerated they don't
 7 give you any information.

8 Q. Prior to that recommendation, did
 9 you have a blood test, and they looked at how
 10 the blood related to your liver functions?

11 A. I've had numerous blood tests,
 12 Now, what they were in regards to, I don't know.

13 Q. Do you recall, I think, they had
 14 scheduled a liver biopsy for you?

15 A. Yes.

16 Q. That was at St. Agnes Hospital in
 17 White Plains?

18 A. It was at a hospital.

19 Q. Would it refresh your memory
 20 whether it was St. Agnes Hospital in White
 21 Plains or somewhere else, would that help you
 22 remember?

23 A. I can tell you that they brought me
 24 from the correctional facility. At the time, I
 25 don't even remember what facility I was at.

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1 Williams 21
 2 They brought me down to a regular public
 3 hospital. Whether it was in White Plains, in
 4 the Bronx, I do not know.
 5 Q. Just let me stop you for a second.
 6 Did you keep any memos or notes or records of
 7 your medical treatment over the years?
 8 A. No.
 9 Q. Did you in fact go and have a liver
 10 biopsy?

11 A. Yes.

12 Q. That was due to elevated liver
 13 levels in your blood, would that be a fair
 14 statement?

15 A. Could you repeat that question.

16 MR. SILVERSON: Could you read that
 17 back.

18 [Whereupon, the prior question was
 19 read back by the reporter.]

20 A. What is an elevated liver level?

21 Q. I'll ask you another question.

22 Did a doctor meet with you after you had
 23 the liver biopsy in regard to what the biopsy
 24 showed, if anything?

25 A. Yes.

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1 Williams 23
 2 diagnosed with Hepatitis C; who told you that
 3 and when?

4 A. Downstate.

5 Q. What led them to that diagnosis; in
 6 other words, were you complaining of pain in
 7 your body somewhere or had they done routine
 8 testing and discovered it or something else?

9 A. Blood in my urine.

10 Q. Was that what you had referred to
 11 before when you mentioned it?

12 A. No. Before I mentioned it, if I'm
 13 not mistaken, we was talking about when I was in
 14 shock.

15 Q. From the shock camp?

16 A. Yes.

17 Q. This was before, while you were
 18 incarcerated at Downstate?

19 A. Yes.

20 Q. Other than blood in your urine,
 21 were there any other other symptoms that you had
 22 before you received the diagnosis of Hepatitis
 23 C?

24 A. I can't recall all the times that I
 25 have had any ailments.

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1 Williams 22
 2 Q. What do you recall the doctor
 3 telling you about your liver?
 4 A. He said that I need to eat healthy,
 5 drink a lot of water, and any deterioration that
 6 I've incurred to my liver would eventually heal
 7 itself. But I had to start immediately, because
 8 if I go -- if I continue, I could create
 9 cirrhosis of the liver.

10 And then -- it wasn't a he, it was a she.
 11 She said, that your liver can get holes inside.
 12 Once fat grows inside those holes, that's when
 13 you begin to get cirrhosis. But if you eat
 14 healthy, drink a lot of liquids, healthy liquids
 15 that is, that the liver is an organ that
 16 refurbishes itself and you'll be fine.

17 Q. Were you diagnosed with any medical
 18 condition after the biopsy of your liver?

19 A. I don't know. They never told me.

20 Q. Have you ever been diagnosed with
 21 Hepatitis C?

22 A. I was told that I had Hepatitis C.
 23 Then it was questionable when I was at
 24 Buttonsville.

25 Q. If you can recall, when were you

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1 Williams 23
 2 diagnosed with Hepatitis C; who told you that
 3 and when?

4 A. Downstate.

5 Q. What led them to that diagnosis; in
 6 other words, were you complaining of pain in
 7 your body somewhere or had they done routine
 8 testing and discovered it or something else?

9 A. Blood in my urine.

10 Q. Was that what you had referred to
 11 before when you mentioned it?

12 A. No. Before I mentioned it, if I'm
 13 not mistaken, we was talking about when I was in
 14 shock.

15 Q. From the shock camp?

16 A. Yes.

17 Q. This was before, while you were
 18 incarcerated at Downstate?

19 A. Yes.

20 Q. Other than blood in your urine,
 21 were there any other other symptoms that you had
 22 before you received the diagnosis of Hepatitis
 23 C?

24 A. I can't recall all the times that I
 25 have had any ailments.

1 Williams 24
 2 Q. I know it's a long time ago, but in
 3 terms of your ability to function at Downstate
 4 in terms of either a job that you may have had
 5 there or work duty or whatever it might be, were
 6 you put on any kind of limited details because
 7 of the illness that you had?

8 A. Downstate is a 23 lockdown
 9 facility.

10 Q. I'm not familiar with that.

11 That meant you were in your cell for 23
 12 hours?

13 A. When you're in a 23 hour lockdown
 14 facility there is no work.

15 Q. What, if any, treatment did they
 16 give you for Hepatitis C?

17 A. None.

18 Q. What medications did they prescribe
 19 for you, if any?

20 A. None.

21 Q. What medical advice did they give
 22 you, if any, regarding your care of yourself
 23 after the diagnosis of Hepatitis C?

24 A. I told you that.

25 Q. Eat healthy?

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1 Williams 25
 2 A. Eat healthy and drink lots of
 3 water.

4 Q. As of today, are you still
 5 diagnosed with the condition of Hepatitis C?

6 A. As I said before, Huttonsville said
 7 it was questionable. That they need to have a
 8 panel test conducted, which I never had done.

9 Q. So you don't know? 5

10 A. I don't know.

11 Q. Mr. Williams, just so I have an
 12 order of things, you went from Downstate
 13 correctional to Oneida. Then to a six month
 14 shock camp. Then to Dannemora and then to
 15 Franklin; would that be a correct order of
 16 things?

17 A. Pretty much, yes.

18 Q. This was all under the sentencing
 19 of a 1 to 3 sentence; correct?

20 A. That's correct.

21 Q. Since this is basically a white
 22 collar crime, was there a reason why you were in
 23 a 23 hour lockdown, other than being in the
 24 general population of the prison?

25 I'm sorry to have to ask these questions,

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1 Williams 26
 2 I apologize.

3 A. I have to elaborate on this one.
 4 Apparently you all are not familiar with how
 5 corrections operate.

6 When you're incarcerated -- when you're
 7 sentenced to a correctional facility, a/k/a
 8 penitentiary, you have to be classified. And
 9 before this classification is conducted where
 10 they give you a level, you're locked down.

11 Once you're classified, then they put you
 12 in an area most conducive to what they call,
 13 "rehabilitation." Now everyone who thresholds
 14 the penal system goes through a lockdown.
 15 Because you just can't put a person in prison
 16 and he's not a violent criminal and put him with
 17 violent criminals.

18 So once classification has been
 19 completed, then they put you in what they would
 20 consider an area that is safe and poses no
 21 danger for you or to the people that are around
 22 you.

23 Q. So that the lockdown wasn't because
 24 of any infraction in prison or any conduct of
 25 that nature?

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1 Williams 27
 2 A. That's correct.

3 Q. Since you were convicted basically
 4 of a so called white collar crime, they wanted
 5 to find out where you fit into the correctional
 6 system, therefore transfer you to a prison that
 7 would be appropriate for your rehabilitation, as
 8 you put it?

9 A. Yes.

10 Q. That would explain the 6 month
 11 shock camp didn't work out for you, because you
 12 seem to have gone on to Dannemora after that?

13 A. That is correct.

14 Q. From Dannemora you went to
 15 Franklin. Was there a reason for the transfer
 16 between those two prisons?

17 A. Dannemora is a maximum security.
 18 It's behind a wall.

19 Q. It seems inconsistent with the crime
 20 that you committed that you would go to such a--

21 A. Actually it's not inconsistent.

22 Q. Could you explain?

23 A. You have to understand, these
 24 prisons are right next to Canada.

25 They're so far up and to transport

1 Williams 28
 2 prisoners to these facilities, not only do you

3 have to have layovers sometimes, but in my
 4 situation, they took me to Dannemora, to either
 5 wait -- mind you, the correctional system, they
 6 don't tell us anything. And I'm not guessing at
 7 this, because during my research I realized this
 8 was a fact. This is what happened. Dannemora
 9 was just layover period. I only stayed there
 10 for a few weeks, until a bed came open either at
 11 Franklin or Berry Hill. Franklin and Berry Hill
 12 are facilities that are next door to each other.

13 Q. That puts it in perspective for me.

14 When I've looked at these documents, it
 15 seemed you were in a lot of places for a crime
 16 where you got sentenced to a 1 to 3.

17 A. Right.

18 Q. Let me just get back to the
 19 medical, Mr. Williams.

20 There are a number of hospitals that were
 21 listed in your medical records. I'd like to ask
 22 you a little bit about each one. If you don't
 23 remember, that's fine. If not, maybe you can
 24 explain it. There was a hospital called Alice
 25 Hyde Hospital.

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1 Williams 33
 2 Q. You matriculated into a semester;
 3 is it a semester or a trimester program?
 4 A. Actually, this semester I wasn't
 5 able to get in because of some situation that
 6 happened, but I'm already scheduled for the
 7 spring semester.
 8 Q. Are you telling me you're
 9 registered at the school to enter classes in
 10 whatever spring means, January, February?
 11 A. Yes.
 12 Q. Is this your first exposure to
 13 college or have you been at Mountain State
 14 before this?
 15 A. Yes.
 16 Q. When were you in attendance?
 17 A. The fall 2005.
 18 Q. How many credits did you take and
 19 how many did you complete?
 20 A. Four.
 21 Q. So you were not fully matriculated,
 22 you were part-time?
 23 A. That would be four classes.
 24 Q. I was talking about credits.
 25 A. Four classes is considered

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1 Williams 34
 2 full-time.
 3 Q. That would be from September to
 4 December or September to January?
 5 A. December.
 6 Q. Would you be considered a freshman
 7 student, in other words are you being considered
 8 a first year student?
 9 A. That was my second.
 10 Q. You have completed one year of
 11 college?
 12 A. Yes.
 13 Q. Where was that?
 14 A. Fairmont State.
 15 Q. What part of the country is that?
 16 A. West Virginia.
 17 Q. Mountain State has given you credit
 18 for the first year of Fairmont State?
 19 A. That's correct.
 20 Q. You went to school full-time from
 21 September to January of '05. And then from '05
 22 to the present, you haven't started again, but
 23 you will be starting in the spring?
 24 A. Correct.
 25 Q. I assume you have a high school

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1 Williams 35
 2 diploma from high school or equivalency?
 3 A. I have an equivalency.
 4 MR. SILVERSON: I don't know if
 5 it's relevant, if not already provided,
 6 we would just like some authorizations to
 7 validate educational aspects. We'll put
 8 the request in writing as per the rules,
 9 but just for the record.
 10 On any document request, we'll
 11 follow-up with a formal demand.
 12 While I'm on it, we've already sent
 13 you a request.
 14 MR. GELLER: Yes. We have those
 15 and we will be getting those to you
 16 shortly.
 17 MR. SILVERSON: We have previously
 18 requested in writing from counsel,
 19 authorization for Mr. Williams from
 20 Oneida Health Care Center, Alice Hyde
 21 Hospital Association, Bassett Hospital of
 22 Schoharie County, Rome Hospital and Murphy
 23 Memorial Hospital, St. Agnes Hospital,
 24 Oneida Correctional Facility medical
 25 records and Grand Strand Regional Medical

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1 Williams 36
 2 Center.
 3 In addition we have asked for
 4 records under Medicaid, any claims under
 5 social security administration, Project
 6 Return Foundation Incorporated, and the
 7 New York State Department of Health
 8 prescription plan, it's an RX plan
 9 through the Department of Health.
 10 MR. GELLER: We're in receipt of
 11 the request.
 12 Q. Mr. Williams, in reviewing some of
 13 your records, it appears that you did attend
 14 City College in New York City at one point?
 15 A. Yes.
 16 Q. In 1996?
 17 A. Yes.
 18 Q. So in addition to Fairmont State
 19 you also attended City College. Was that
 20 full-time or part-time?
 21 A. Part-time.
 22 Q. When I say City College I'm talking
 23 about the City University of New York?
 24 A. 135th and Amsterdam.
 25 Q. That's the one?

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Williams

37

2 A. That's the one.

3 Q. Mr. Williams, I'm going to ask you
4 some information regarding your time either at
5 Franklin Correctional Facility or one of the
6 ones in the interim that you were transferred
7 from and to, during the period 1993 to 1995.

8 The first thing I want to talk to you
9 about is your HIV testing that you took at that
10 institution. Your records indicate that in
11 February of 1994, more specifically February 4,
12 that you took a HIV test called an ELISA test,
13 do you recall that?

14 A. I remember taking that test. I
15 don't recall the time.

16 Q. In fact, while you were
17 incarcerated there two tests were given at the
18 institution, do you recall that at least two for
19 HIV testing?

20 A. Yes.

21 Q. Do you recall the results of either
22 of those tests?

23 A. Yes.

24 Q. What were the results?

25 A. Negative.

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1 Williams

2 Q. Was there a reason that the HIV

3 test was given while you were in prison?

4 A. Specifically, to know the status of

5 my health.

6 Q. Had you requested the test or is

7 this part of the protocol for the hospital to

8 give such a test, if you know?

9 A. That I could not answer.

10 Q. You in fact did take the two tests

11 and both tests were negative?

12 A. That is correct.

13 Q. While in the correctional

14 institutions, they do a psychological profile or

15 examination of you while there?

16 A. Yes.

17 Q. In 1994, had you had any prior

18 psychiatric history or care in your background

19 at all?

20 A. Clarify.

21 Q. From birth to adulthood had you had

22 any experiences or problems emotionally or

23 mentally up and through 1994?

24 MR. GELLER: Objection. What's the

25 question?

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Williams

You asked about treatment then you asked about problems.

Q. What I'd like to know, is find out if there were things in your background, either your childhood or teenage years that required intervention with either a psychiatrist, psychologist, mental health worker, social worker; was there anything in that period of time?

A. From the time that I was born up until now?

Q. The basis for my question is this, in your medical records there are references to this. If you can explain, if you would like me to be specific or you can give me a brief narrative?

A. I would like for you to be specific but, yes.

Q. Was there an incidence in your childhood where you either were an abused child or had some intervention with a psychologist for incidence that occurred in your home with your family?

A. Yes.

1 Williams

2 Q. Can you tell me what was and

3 what care or treatment you received, if any?

4 I apologize for going into your

5 background. It may or may not be painful to

6 you, but we need to know about this.

7 A. In 1972 I was sent to Albany Home

8 for Children. Let me clarify that. On or

9 around 1972, I was sent to Albany Home for

10 Children. During this period I was told that I

11 was mentally retarded.

12 Q. When you say sent, was this

13 something through your mother or father or was

14 this a court intervening decision to get you

15 there?

16 A. I have no idea.

17 Q. You ended up being away from home

18 and put into this home?

19 A. Yes.

20 After that, I don't recall being in any

21 other psychiatric institution.

22 Q. About how old were you?

23 A. I was 8 or 9 years old.

24 Q. How long were you there?

25 A. Approximately a year.

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1 Williams 41
 2 Q. When released from there, did you
 3 return to your family?
 4 A. Yes.
 5 Q. What did your family consist of at
 6 that point?
 7 A. What do you mean, what did it
 8 consist of?
 9 Q. Was it your mother, your father, or
 10 mother and father or a relative or something
 11 else?
 12 A. Like who was in the household?
 13 Q. Yes.
 14 A. One brother, one sister, my mother,
 15 stepfather and a dog named Butch.
 16 Q. What kind of dog was it?
 17 A. A boxer.
 18 MR. GELLER: Off the record.
 19 (Whereupon, a short recess was
 20 taken.)
 21 Q. You returned home from Albany Home
 22 for Children and from that date forward, you
 23 were in school?
 24 A. Very briefly.
 25 Q. I'd say from 8 years to 18, for the

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1 Williams 42
 2 next ten years, in very brief summary, can you
 3 tell me were you in any other institutions or
 4 under the care of a psychiatrist, psychologist
 5 or other medical?
 6 A. Clarify those years?
 7 Q. From age 8 to age 18.
 8 A. From age 8 to 18 was I in any other
 9 institution--
 10 Q. Or treated by a psychiatrist,
 11 psychologist or mental health professional?
 12 A. Absolutely not.
 13 Q. In terms of your schooling, did you
 14 finish grammar school, meaning first to eighth
 15 grade?
 16 A. I didn't. I left school in fifth
 17 grade.
 18 Q. This is all in West Virginia?
 19 A. No. At this point I was living in
 20 Cornwall, New York, Cornwall off the Hudson.
 21 Q. Leaving school in the fifth grade
 22 how old were you in fifth grade?
 23 A. I was nine going on ten.
 24 Q. In terms of requirements of the
 25 state to attend school, what did you do if you

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1 Williams 43
 2 weren't going to school, were you just kept at
 3 home and home taught or something else?
 4 A. I left home.
 5 Q. You ran away?
 6 A. Yes.
 7 Q. Where did you run to?
 8 A. Here, to the city?
 9 Q. At age 9 with whom did you live or
 10 where did you live?
 11 A. Wherever I could.
 12 Q. Were you homeless at the time?
 13 A. Very much so.
 14 Q. Did you live in any shelters or any
 15 other places?
 16 A. Nine year olds can't get into
 17 shelters.
 18 Q. Nine year old, it's pretty hard to
 19 take care of yourself at nine. How did you
 20 survive?
 21 A. You'd be surprised what a nine year
 22 old has to do when he has to survive. I
 23 survived the best I could.
 24 Q. During that time period from 9 to
 25 age 18, were you ever arrested as a juvenile?

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1 Williams 44
 2 A. Between the ages of 9 and 18,
 3 that's very broad.
 4 Q. Your attorney would usually say
 5 that.
 6 What I'm trying to find out is, in those
 7 years did you ever return home to Cornwall, New
 8 York or did you remain in New York City?
 9 A. Yes.
 10 Q. You lived on your own or with
 11 somebody else?
 12 A. I lived on my own for quite a bit
 13 of those years.
 14 Q. I'm not going to take you through
 15 the experience, but was it pretty much living on
 16 the street; would that be a fair statement of
 17 your lifestyle at that point?
 18 A. If you call living in a domicile
 19 that's a derelict building living on the street,
 20 that's pretty much.
 21 Q. During those years, was there any
 22 involvement with either drugs or alcohol by
 23 yourself?
 24 A. Yes.
 25 Q. Were you ever treated for either

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1 Williams 45
 2 alcohol or drug abuse during that time period?
 3 MR. GELLER: Can you clarify the
 4 time period.
 5 MR. SILVERSON: From the age of 9
 6 years old to 18.
 7 A. No. We need to back up a little
 8 bit. When you say treated, you mean was there
 9 any documentation of my being treated.
 10 Q. What I meant by treatment, let me
 11 explain, is that if you were involved -- let's
 12 start with drugs. Were you using drugs between
 13 the ages of 9 and 18?
 14 A. Yes.
 15 Q. What drugs were you using?
 16 A. Heroin.
 17 Q. Were you using intravenous drugs or
 18 something else?
 19 A. Yes.
 20 Q. Did you ever try to kick the habit
 21 by going methadone or something else?
 22 A. Absolutely not.
 23 Q. You were on heroin for how long?
 24 A. About four years.
 25 Q. Did there come a time when you

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1 Williams 46
 2 stopped using heroin?
 3 A. Yes.
 4 Q. Why was that?
 5 A. I stopped using heroin because I
 6 got tired of the lifestyle.
 7 Q. Did you have any help in stopping
 8 the use of the drugs and this is what I meant by
 9 treatment, did you go to a drug treatment center
 10 or a program of some kind?
 11 MR. GELLER: That's a compound
 12 question. Could you break it up.
 13 Q. Did you go to a program?
 14 A. No.
 15 Q. Did you go to a treatment center?
 16 A. No.
 17 Q. Was there some other institution or
 18 facility that helped you either reduce or stop--
 19 A. No institution, no facility, but an
 20 organization.
 21 Q. What was that organization?
 22 A. The Nation of Islam.
 23 Q. Are you a member of the Nation of
 24 Islam?
 25 A. No.

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1 Williams 47
 2 Q. Were you a member at that time?
 3 A. No.
 4 Q. Did you come in contact with
 5 members of the Nation of Islam that helped you
 6 or gave you guidance in terms of your reduction
 7 or non-use of heroin?
 8 A. Repeatedly.
 9 Q. Where was that, in New York City
 10 here?
 11 A. Hera in the City.
 12 Q. In terms of treatment was there any
 13 medical treatment that you received or was this
 14 just counseling and mentoring let's call it?
 15 Do you understand what I mean?
 16 A. Cold turkey.
 17 Q. You were able to stop the use of
 18 heroin?
 19 A. Never used it again intravenously.
 20 Q. In terms of your heroin use; did
 21 you develop any medical conditions from the use
 22 of heroin, either from the use of bad needles or
 23 the drug itself?
 24 A. None whatsoever.
 25 Q. Did it have any effect on your

1 Williams 48
 2 general health, as best as you can recall,
 3 during that time period?
 4 A. None whatsoever.
 5 Q. Other than heroin, did you take any
 6 other drugs during that time period?
 7 A. Marijuana.
 8 You are talking about what time period?
 9 Q. In your teen years, when you were
 10 in New York City living on your own.
 11 A. Maybe alcohol, beer.
 12 Q. That was going to be the next area.
 13 Did you ever have a problem with the use of
 14 alcohol, meaning alcohol abuse, to the extent
 15 where it became a threat to your health?
 16 A. Yes.
 17 Q. When was that?
 18 A. When was what?
 19 Q. The alcohol abuse that became a
 20 threat to your health.
 21 A. Prior to becoming incarcerated at
 22 those various facilities that you wrote down
 23 recently.
 24 Q. I have an idea of what I mean by
 25 alcohol abuse. Can you tell me how you abused

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1 Williams 49

2 alcohol; what alcohol you drank, the amount,
3 quantity?

4 A. The amount I couldn't tell you.
5 well, I couldn't possibly. To give you an idea
6 of the amount, that's sunup to sundown.

7 Q. You were intoxicated for a good
8 part of the day to say the least?

9 A. I was intoxicated pretty much all
10 the time. Yes.

11 Q. If you can give me a time frame of
12 when, what years this covered or maybe it was
13 less than a year you tell me, I don't know?

14 A. I can't.

15 Q. As a result of this, this was prior
16 to your heroin use or after your heroin use?

17 A. After.

18 Q. As a result of that, of the alcohol
19 abuse, did you develop any medical conditions
20 that you required medical treatment for?

21 A. The alcohol consumption was the
22 factor that deteriorated my liver.

23 Q. Was there any other effect on your
24 body, either from the heroin or the alcohol
25 abuse that you knew of, that was told to you

1 Williams 50

2 medically?

3 A. None.

4 Q. Other than the liver?

5 A. Correct.

6 Q. Let's say, from 18 years of age to
again, I apologize for not having the exact
7 times. You were born in '63, from about 18 to
8 let's say 30, you somehow got into the iron
9 working business. How did that occur, you
10 became a member of the local?

11 Q. I've got you in New York to about 18
years of age. There must come a time that you
12 must leave New York to go back to West Virginia
13 or somewhere else, where you became an iron
14 worker; is that correct?

15 A. I became an iron worker in South
Carolina.

16 Q. When did you get your card?

17 A. I didn't have a card. They had a
program which you can -- local 201 is out of the
18 Washington D.C. They had a program where
19 minorities could receive the benefits without
20 becoming a member and get the same pay scale.

21 Q. Was it a training program of some

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1 Williams 51

2 kind?

3 A. I was very much trained. In fact
4 they used me to train some of their people, but
5 they refused to let me get the full benefits of
6 being in local 201.

7 Q. Why is that?

8 A. Probably because I'm an
9 African-American.

10 Q. Didn't you tell me that program was
11 to basically benefit minorities of getting into
12 iron working business, by getting the benefits
13 and work in the same pay scale without having to
14 go through the union process?

15 A. If you're not going to have any
16 union, what are you doing.

17 Q. You're part of this 201 local,
18 which is a national local of some kind?

19 A. While I was working on certain
20 jobs, yes.

21 Q. The pay for an iron worker is
22 pretty good?

23 A. Yes.

24 Q. It's one of the top construction
25 fields?

1 Williams 52

2 A. Yes.

3 Q. It's also high risk, in terms of
injury and so forth.

4 MR. GELLER: Is that a question.

5 MR. SILVERSON: Just a comment.

6 Q. Let me get back to the Franklin
7 Correctional Facility. In June of 1994, there
8 was some indication that you were suffering from
9 depression and received some type of counseling
10 at or in the institution or near the
11 institution, while there.

12 MR. GELLER: Object to the form.

13 It assumes fact not in evidence.

14 Q. Does that refresh your recollection
15 of whether you had a psychiatric evaluation
16 while at Franklin Correctional or one of the
17 other correctional facilities?

18 A. Every individual that goes into the
19 division of correction goes through a
20 psychiatric evaluation.

21 Q. That consists of you speaking to
22 psychiatrists or psychologists about your
23 background and other information?

24 A. It requires that we speak to

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1 Williams 53
 2 someone in that profession. Whether they're
 3 psychologists, psychiatrists or an analyst. I
 4 don't know.

5 Q. You don't know their
 6 qualifications?

7 A. Exactly. Nor do they show us their
 8 credentials.

9 Q. Do they tell you or give you
 10 information as a result of that questioning, in
 11 that process?

12 A. Absolutely not.

13 Q. Do you know whether or not you were
 14 categorized into a particular level of
 15 psychiatric profile of some kind?

16 A. Absolutely not.

17 Q. Did you ever, while at those
 18 institutions between 1993 and 1995, ever
 19 indicate that you were suffering from
 20 depression?

21 A. I have to elaborate on that one.
 22 Anyone who goes through the department of
 23 corrections and don't show any signs of
 24 depression, they're not normal. Because when
 25 you're away from society and your family, that

1 Williams 54
 2 is a depressive state.
 3 Q. Other than that, being incarcerated
 4 and being taken out of society and being put in
 5 that environment, other than those factors, was
 6 there any other factors in either your prior
 7 life or that occurred in prison which caused you
 8 to suffer from depression?

9 A. Not that I can recall, no.

10 Q. Were you given any medication for
 11 this depression that you had in prison?

12 A. No.

13 Let me rephrase that. I don't recall
 14 taking any medication while incarcerated.

15 Q. For depression?

16 A. For depression.

17 Q. Do you recall either discussing
 18 with a medical professional the idea of taking
 19 your own life, committing suicide?

20 A. See that's a very tricky question.
 21 You need to clarify that.

22 Q. Mr. Williams, you are making claim
 23 against St. Clare's Hospital for their alleged
 24 negligence. As part of your claim you're
 25 claiming emotional injuries. By my questioning

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1 Williams 55
 2 now, I'm just trying to find out if you have any
 3 history of emotional injuries that either have
 4 been exacerbated by this case or existed prior
 5 to this case.

6 There is an indication in your records
 7 that there have been discussions, either from
 8 the records or their interview of you, that
 9 indicated that you had contemplated taking your
 10 own life or had actually attempted to do that on
 11 occasion.

12 That's my question. Do you have any
 13 recollection of having that type of conversation
 14 with a medical professional, during the years of
 15 '93 to '95 while incarcerated?

16 A. Can I elaborate?

17 Q. Certainly.

18 A. The dialogue, basically that
 19 conversation with their mental staff there, they
 20 ask every individual that comes through those
 21 doors about committing suicide, because they need
 22 to know whether they need to keep them under
 23 close supervision. I have never been under
 24 close supervision, in a straight jacket. I have
 25 never been an area of any institution where I

1 Williams 56
 2 would be considered a risk to myself or anyone
 3 else.

4 So, if it's in the record that I said
 5 something to that effect, that I would take my
 6 life and they didn't put me under close
 7 observation, they're in grave error. And I was
 8 never in a position where I was under close
 9 supervision, period.

10 Q. You've answered part of my
 11 question. The other part was, did you tell any
 12 of these doctors or medical professionals, that
 13 in the past that you had contemplated, whether
 14 it be recent past or way back in your past, to
 15 commit suicide?

16 A. I may have discussed it with them.
 17 But I have never told anyone about taking my
 18 life.

19 Q. Did you ever relate an incident,
 20 whether it be when you were very young or in
 21 recent times while at Franklin, concerning
 22 taking an overdose of pills, intentionally
 23 taking an overdose of pills.

24 MR. GELDER: I object to the form.
 25 Could you read back the question. I

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1 Williams 57
 2 don't understand the time frame.
 3 MR. SILVERSON: Maybe I can explain
 4 and let me rephrase it to save time.
 5 Q. Again, the time I'm talking about
 6 is when you were in jail from '93 to '95,
 7 approximately.
 8 During your discourse with a medical
 9 doctor or medical professional about your
 10 emotional background, did you at any time tell
 11 anybody there that you had attempted to take
 12 suicide by ingesting or taking an overdose of
 13 pills; not that you were doing it in the prison,
 14 but in the past?

15 A. I can't recall.

16 Q. Do you recall having any discussion
 17 in January of 1994 while institutionalized,
 18 regarding an infection that you developed which
 19 they diagnosed as possibly tuberculosis?

20 A. What?

21 Q. Do you recall a test called a PPD
 22 test, where they tested you for exposure to
 23 tuberculosis?

24 A. Every time you go into an
 25 institution they give you that test.

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1 Williams 58
 2 Q. Do you recall having any
 3 conversation with any medical doctor about the
 4 results of that test?

5 A. I don't recall having a need to
 6 discuss it with a doctor, anything regarding a
 7 PPD test.

8 Let me elaborate. When they give you
 9 that skin test, if the centimeters is large, you
 10 got an issue, a large one. If you don't have no
 11 redness there, what is there to discuss. I've
 12 never had that.

13 Q. You do recall getting the test?

14 A. Every time.

15 Q. In close populations like that,
 16 people can be carriers?

17 A. Right.

18 Q. Also, in terms of your lower
 19 extremities, your legs. In or about January of
 20 1995, did you ever have a problem with either
 21 your calves or parts of your legs that had
 22 ulcerations, sores?

23 A. I can't recall.

24 Q. More specifically on your right
 25 calf, where you had to have medical treatment

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1 Williams 59
 2 for an ulcerated sore or sores that wouldn't
 3 heal?
 4 A. No.
 5 Q. I believe at that time you were
 6 still in jail, because the release date that we
 7 have is late 1995.
 8 So, I just have a medical record which
 9 indicates that you had made a complaint of
 10 ulceration of your legs and some problems with
 11 your legs. If you don't recall, just indicate
 12 that and I'll go on.

13 A. I don't recall.

14 MR. GELLER: Can we take a break.
 15 (Whereupon, a short recess was
 16 taken.)

17 Q. It seems from my records, and you
 18 don't have to rely on that Mr. Williams, it
 19 seems that you were released in October of 1995,
 20 that's the date I have; October 10?

21 A. That's what I put down.

22 Q. The date of transfers from all
 23 these facilities are a little unclear from the
 24 records. For the purpose of this deposition,
 25 would you agree that it would be sometime in

1 Williams 60
 2 October of '95 that you got out of the prison
 3 system from Franklin?

4 A. I would agree that it was in '95.
 5 But I would not confirm the month.

6 Q. When one gets out of prison in
 7 those days, did you have to go to a halfway
 8 house or a program before you were let into a
 9 free society?

10 A. No.

11 Q. You went directly, you were
 12 released, you had served your sentence, there
 13 was no probationary period after that; is that
 14 correct?

15 A. In the State of New York during
 16 that time, you have parole, mandatory parole.
 17 Then you have a minimal discharge date and a
 18 maximum discharge date.

19 I did not make parole. When I got out in
 20 the year '95 that was mandatory parole. And I
 21 achieved that by not getting any infractions.
 22 Therefore, when that date come, it doesn't
 23 matter whether I have a place to stay. It
 24 doesn't matter whether I'm sick or dying, you're
 25 gone. So it really doesn't matter, you're out.

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1 Williams

2 Q. When you got out Mr. Williams, how

3 would you describe your general health in 1995?

4 A. Euphoric.

5 Q. I know that was your mental

6 attitude, but in the terms of physical health,

7 how would you describe your physical health?

8 A. Fit. I was fit.

9 Q. What did you do when you got out,

10 where did you go to live?

11 A. I went to -- I was in Washington

12 Heights. The address I don't know.

13 Q. Was it an apartment, did you move

14 in with someone, was it a program facility or an

15 outreach program for people who were released?

16 A. It wasn't Washington Heights. 178

17 Mount Eden Parkway, Bronx, New York 10457.

18 Q. Was that an apartment?

19 A. That was a home.

20 Q. Meaning a private house?

21 A. Yes.

22 Q. Whose private house was that?

23 A. It belonged to Gina Huddelston.

24 Q. Who was Gina Huddelston?

25 A. She was my mother's half sister.

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1 Williams
2 814 Amsterdam Avenue?
3 A. That was after.
4 Q. So, you left Mount Eden Parkway and
5 you went where?
6 A. I got a room on 158th Street.
7 Q. Single room occupancy, SRC?
8 A. Beg your pardon?
9 Q. Single room occupancy or did you
10 rent an apartment or a room in an apartment?
11 A. It was a room inside of an
12 apartment.
13 Q. You continued to work at various
14 jobs or at a particular job?
15 A. As I said, I did some work with a
16 roofing company. Then I got involved in some --
17 I used to sell stuff down on Green Street down
18 near Canal. I would buy merchandise and go down
19 there and sell it on weekends. That's how I
20 supported myself. During that time I caught a
21 violation of my parole from the '93 to '95
22 conviction, which in turn resulted in my being
23 at Project Return.
24 Q. What was the violation of your
25 parole; what caused you to be there, not

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1 Williams 65
2 facility or something else?

3 A. No, it's not a lockdown facility.
4 It's actually pretty much voluntary, because you
5 can come and go as you pleased. It was a six
6 month program designed to help people
7 reintegrate themselves back into society.

8 The reason why they put emphasis on it
9 being a drug program, because most of the
10 individuals that come through there did have a
11 drug problem, but not all.

12 Q. While at Project Return, did any
13 medical conditions develop that required medical
14 intervention or for you to go see a doctor?

15 A. Spellman Clinic.

16 Q. When you say Spellman Clinic, are
17 you saying that a doctor referred you to
18 Spellman Clinic?

19 A. No. I'm saying that Spellman
20 clinic had me under their treatment.

21 Q. How did you get from Project Return
22 to the Spellman Clinic; did you walk in off the
23 street to the Spellman Clinic or did somebody at
24 Project Return refer you or did a doctor refer
25 you or something else?

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1 Williams 66
2

3 A. While at Project Return, there were
4 several individuals at Project Return who
5 brought patients at Spellman Clinic a/k/a St.
6 Clare's Hospital. These people were, I suppose,
7 busy this particular day and I had to take Jose,
8 to escort him to St. Clare's. His last name I
9 don't remember.

10 While there, I was asked to take some
11 test. Jose said, go ahead man take it, do a
12 physical or something to that effect. I had my
13 public assistance card with me, because as soon
14 as you go under Project Return, you are not
15 allowed to work. You immediately go on public
16 assistance medical; whatever they call,
17 Medicaid. I had my credentials on me. So I
18 gave them the credentials. They did the
19 paperwork. Next thing you know they extracted
20 blood.

21 Q. Let me just back up a little bit.
22 While at Project Return, somebody there asked
23 you to accompany Jose to Spellman Clinic?

24 A. Somebody, the staff, when you are
25 classified, certain people under certain
classifications have to be escorted and I was

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1 Williams 67
2 elected to escort him to 415 West 51st Street,
3 St. Clare's Hospital and Health Center.

4 Q. If you know, what was Jose's
5 condition or medical problem which required him
6 to be escorted by you to the Spellman Clinic?

7 A. I did not have privilege to that
8 information.

9 MR. GELLER: I'm just going to
10 object to the form. Was the question
11 what was his condition that caused him to
12 be escorted?

13 MR. SILVERSON: If he knew,
14 apparently there was some patients that
15 could go voluntarily and others who
16 needed escort.

17 MR. GELLER: I just want to make
18 sure I understood the question.

19 A. I just told you that.

20 Q. Did he need physical assistance,
21 was he in a wheelchair, was he on crutches?

22 A. No. It was due to his
23 classification.

24 Q. Do you know what that
25 classification was?

1 Williams 68
2

3 A. Yes. He has to be escorted where
4 he goes for a certain period of time.

5 Q. Do you know whether or not Jose,
6 was treating at Spellman for an AIDS related
disease, if you know?

7 A. Now let's back up, when you say did
8 I know, did I know at what point in time?

9 Q. At the time you took him.

10 A. No.

11 Q. Tell me, when you took him to the
12 hospital where in the hospital did you take
13 Jose?

14 A. To the third floor.

15 Q. What's on the third floor, if you
16 know?

17 A. When you go to the third floor--

18 Q. It's not the emergency room, is it?

19 A. No.

20 Q. It's another part of the hospital.
21 Do you know what department it is?

22 A. It's the area where they see people
23 with HIV AIDS related diseases.

24 Q. While you were there with Jose,
25 were you required to stay with him when he met

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13

1 Williams 69
 2 with the medical professional, whoever he was
 3 going to see?

4 A. I was required to be with him
 5 everywhere except when he was in consultation.

6 Q. Do you recall whether Jose had a
 7 consultation that day?

8 A. That was the reason why I escorted
 9 him.

10 Q. Did you remain in the hospital
 11 while he had that consultation?

12 A. After we arrived there, he had to
 13 wait until the physician was available to see
 14 him. During this time he urged me to do some
 15 paperwork and take a test.

16 Q. This is on the third floor of St.
 17 Clare's which treats HIV patients. Mr.
 18 Williams, why would you want to take a test at
 19 that part of the hospital dealing with HIV
 20 patients?

21 A. First of all, let's get something
 22 understood here., I didn't know this was an HIV
 23 clinic, that was number one.

24 Number two, I just thought it was a
 25 medical facility that does physicals and stuff

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1 Williams 70
 2 of that nature.

3 Q. Were you suffering from any
 4 symptoms at that time, on that particular day
 5 that you took Jose?

6 A. Absolutely not.

7 Q. So what would be the reason for you
 8 wanting to take tests at a hospital without
 9 symptoms, without feeling sick, what would
 10 possess you to do that?

11 A. What possessed me to do that, just
 12 get a status of my health.

13 Q. When you went to the drug program,
 14 didn't they do a physical examination prior?

15 A. Absolutely not.

16 Q. Weren't your medical records
 17 available to the personnel at Project Return to
 18 determine what the status of your health was?

19 A. Repeat that.

20 Q. Let me ask another question.

21 Did you wait for Jose that day after his
 22 consultation and then take these tests that you
 23 talked about, or was it before you went in for
 24 his consultation?

25 A. It was during his consultation.

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1 Williams 71
 2 Q. Did you have to fill out some
 3 forms?

4 A. Absolutely.

5 Q. When you filled out those forms,
 6 did you realize them that it was an HIV section
 7 of the hospital, that was testing for HIV?

8 A. I did not find out that that was an
 9 HIV clinic until approximately two weeks later.

10 Q. So even though you took Jose to the
 11 third floor, which you told me was an HIV
 12 section of the hospital and he was going for a
 13 consultation, you had no idea that either he was
 14 being treated for HIV or patients there were
 15 being treated for HIV?

16 A. I didn't even know he was HIV
 17 positive.

18 Q. I didn't say whether he was
 19 positive or negative. Did you at some time find
 20 out that he was HIV positive?

21 A. Everyone of them was being treated.
 22 I shouldn't say everyone, because I wasn't.

23 MR. GELLER: Could the court
 24 reporter read back the question that you
 25 just asked.

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1 Williams 72
 2 (Whereupon, the prior question was
 3 read back by the reporter.)

4 MR. GELLER: Do you understand the
 5 question?

6 MR. SILVERSON: The question was,
 7 did he find out that Jose was HIV
 8 positive.

9 MR. GELLER: What's the time period
 10 for the question?

11 MR. SILVERSON: That day he went
 12 there with Jose, that's the only time
 13 period.

14 A. No, I did not.

15 Q. When you filled out the forms, did
 16 you indicate any symptoms that you were
 17 suffering at that time to be tested at St.
 18 Clare's Hospital on that particular day?

19 A. Mr. Silverson, I don't recall
 20 filling out the forms myself. I do recall
 21 having someone ask me questions while filling
 22 out the forms. Neither they or anyone else
 23 indicated to me the status or the practice of
 24 this particular area of the hospital.

25 Q. Mr. Williams, prior to the time

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1 Williams 73
 2 that you went to St. Clare's on that particular
 3 day, did you have knowledge of what HIV and AIDS
 4 was, in terms of a disease?

5 A. Like any other person of ignorance,
 6 I just thought it was a disease that homosexuals
 7 and intravenous drug users get and people who
 8 are careless and promiscuous.

9 Q. You knew that because you had been
 10 tested in the prison, you had taken an HIV test? 14

11 A. I knew that because of the -- I
 12 knew that information because of general
 13 information.

14 Q. You also knew when you got out of
 15 prison and while in prison that having been
 16 tested for HIV you were found to be negative for
 17 HIV?

18 A. Correct.

19 Q. So my question to you now is, when
 20 you went to St. Clare's on that day with Jose,
 21 what was the purpose of you, number one, filling
 22 out forms to be examined and be tested at St.
 23 Clare's, what was your purpose and intent?

24 MR. GELLER: Objection to the form.
 25 That was asked and answered.

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1 Williams 74
 2

3 Q. Was there anything that happened
 4 from the time you got out of prison until that
 5 day that you went to St. Clare's by way of
 6 having unprotected sex, intravenous drug use or
 7 any homosexual activity, that would lead you to
 8 believe that you might have contracted the
 9 disease?

10 A. When I was at St. Clare's I didn't
 11 undergo those tests, because I thought it was
 12 basically a physical.

13 I was in the streets, I was drinking,
 14 possibly even doing some drugs. And mind you I
 15 was already told prior to leaving prison that I
 16 should eat healthy and drink if I wanted my
 17 liver to refurbish it's own self. Having not
 18 abided by that particular suggestion by a
 19 medical physician, I just wanted to see if I can
 20 possibly get information on whether I did any
 21 further damage to myself in that regard.

22 Q. So are you saying that from the
 23 time you were released from prison, that you
 24 used intravenous drugs?

25 MR. GELLER: Objection. That
 mischaracterizes his testimony.

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1 Williams 75
 2

3 Q. There was something that made you
 4 want to be further tested; correct?

5 A. No. There was something that made
 6 me want to just get checked out. Not tested.

6 Q. By the way, how long had you been
 7 at Project Return before you escorted Jose to
 8 St. Clare's?

9 A. I don't recall.

10 Q. Would it be more than a month?

11 A. I can't recall.

12 Q. Would it be fair to say that you
 13 resided at Project Return from about February of
 14 1996 through January of 1997; would that be fair
 15 to say?

16 A. That's not a fair assumption,
 17 because I just said I can't recall.

18 Q. If I were to tell you that the
 19 records reflect that you were in Project Return
 20 from February of '96 to January of '97, would
 21 that refresh your memory as to whether you were
 22 there during that time period?

23 A. It would not.

24 Q. Would it be fair to say that before
 25 you were given the duties of an escort, to

1 Williams 76
 2

3 escort people to and from the hospital, that you
 4 would have had to have been in Project Return
 5 for a certain period of time?

6 A. Yes.

7 Q. During that certain period of time,
 8 whatever it was, whether it was a week, a month,
 9 two months, whatever that time period was, did
 you have any concerns about your health?

10 A. No.

11 Q. So that on the particular day that
 12 you took Jose to the hospital, was that the
 13 first time that you had any concerns about
 14 testing yourself, to determine the status of
 15 your health?

16 A. I wouldn't call it a concern. I
 17 would call it being compulsive. Because I was
 18 in a medical institution. They do test. I was
 19 free, Jose was occupied. I couldn't leave until
 20 he was ready. So why not take a test, take a
 21 checkup.

22 Q. Had you ever escorted Jose before
 23 this?

24 A. No.

25 Q. Did you know Jose from living in

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1 Williams 77
 2 Project Return?
 3 A. I've seen him. I didn't associate
 4 with him.
 5 Q. On that particular day, did Jose
 6 discuss anything with you regarding his
 7 condition or anything else regarding his health?
 8 A. Absolutely not.
 9 Q. Did you have any general
 10 discussions about factors, to the extent that
 11 people that are diagnosed with HIV, being found
 12 HIV positive, get certain housing benefits and
 13 financial subsidies once found to be HIV
 14 positive?
 15 MR. GELLER: Object to the form.
 16 Is that a question?
 17 MR. SILVERSON: Yes.
 18 MR. GELLER: Could you repeat the
 19 question.
 20 Q. Did you have any knowledge of the
 21 fact that people who are found to be HIV
 22 positive are entitled to certain financial
 23 benefits, such as housing subsidies and the
 24 benefits of prescription medications to treat
 25 the virus, were you aware of that?

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1 Williams 78
 2 A. Aware when?
 3 Q. At the time you went to St. Clare's
 4 Hospital with Jose.
 5 A. The initial time?
 6 Q. Yes, sir.
 7 A. Absolutely not.
 8 Q. Did there come a time that you did
 9 learn about that, the benefits that one
 10 receives?
 11 A. Yes.
 12 Q. When was that?
 13 A. After St. Clare's diagnosed me as
 14 being HIV positive.
 15 Q. What information did you learn
 16 after being diagnosed HIV positive regarding
 17 housing?
 18 Let's start with housing allowance as a
 19 subsidy.
 20 A. What did I learn?
 21 Q. Yes.
 22 A. That I can get assistance.
 23 Q. What type of assistance would that
 24 be?
 25 A. Just assistance with housing.

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1 Williams 79
 2 Q. How about food?
 3 A. I didn't need food. I had food at
 4 Project Return.
 5 Q. If you were found to be HIV
 6 positive, didn't you learn that if you found a
 7 residence to live, that you would get some
 8 benefit from the State or the Federal government
 9 in regard to defraying the cost of paying for
 10 that housing?
 11 A. You get food and public assistance
 12 without being sick, from Welfare.
 13 Q. In addition to the public
 14 assistance that you were getting, did you learn
 15 that people who are diagnosed with HIV and found
 16 to be positive, in addition to their public
 17 assistance, got additional monies for having
 18 been found to be HIV positive?
 19 A. People don't get additional money.
 20 You may get some assistance with housing, but
 21 you do not get any increase other than what you
 22 would get when you're normally homeless on the
 23 street. You get nothing additional to that.
 24 And if you did, I was never informed of it.
 25 Q. What tests did you take on the day

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1 Williams 80
 2 you went with Jose to St. Clare's?
 3 A. What tests did I take?
 4 Q. Yes.
 5 A. All I can tell you is that they
 6 extracted blood.
 7 Q. Where within the hospital did you
 8 go for that?
 9 A. Where in the hospital did I go for
 10 that?
 11 Q. Yes.
 12 A. I went right there on the third
 13 floor.
 14 Q. The forms that you filled out--
 15 MR. GELLER: Just to have a clear
 16 record, this is the same certified copy
 17 that was sent over to us maybe a week or
 18 so ago? What's the date on the front?
 19 For the record, the first page is
 20 the same.
 21 MR. SILVERSON: This is a copy of
 22 the record. We got an original
 23 signature, I guess you got one as well.
 24 MR. GELLER: Yes. From that date,
 25 November 9.

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1 Williams 81
 2 MR. SILVERSON: I may want to make
 3 a reference to the record.
 4 MR. GELLER: Off the record.
 5 (Whereupon, a discussion was held
 6 off the record.)
 7 MR. SILVERSON: Let's mark these
 8 records as Defendant's Exhibit A subject
 9 to the originals.
 10 (Whereupon, the above referred to
 11 document was marked, "Defendant's Exhibit
 12 A for identification," as of this date,
 13 by the reporter.)
 14 Q. Mr. Williams, let me show you what
 15 has been marked as Defendant's Exhibit A for
 16 identification. It's entitled a consent form
 17 from St. Clare's Hospital dated November 11,
 18 1996.
 19 I just ask if that's your signature on
 20 the page?
 21 A. Yes, it's my signature.
 22 Q. Would that indicate, Mr. Williams,
 23 that you were present at St. Clare's Hospital on
 24 November 11, 1996?
 25 MR. GELLER: I'm just going to

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1 Williams 82
 2 state for the record that the date here
 3 next to the signature is the 10th of
 4 November 1996.
 5 MR. SILVERSON: In that
 6 regard--
 7 Q. The date you took Jose to St.
 8 Clare's Hospital, and the date which you say you
 9 scheduled some tests for yourself, do you recall
 10 what that date was?
 11 A. No, I do not.
 12 Q. By looking at what's been marked as
 13 Defendant's A for identification on which you've
 14 identified your signature thereon, would either
 15 November 10 or November 11 refresh your memory
 16 as to what date you went to St. Clare's Hospital
 17 with Jose?
 18 A. No. It doesn't actually refresh my
 19 memory. This is the document that I signed on
 20 the initial visit. I would have to conclude
 21 that it's correct.
 22 Q. There are two dates on this form,
 23 one says November 11 and one says November 10.
 24 The date that you took Jose to St. Clare's, was
 25 that the same date that you took the test or was

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1 Williams 83
 2 that the date that you just filled out the
 3 forms?
 4 A. That's the date I filled out the
 5 forms and took a test.
 6 Q. What test did you take on the date
 7 that you filled out the forms?
 8 A. I don't know.
 9 Q. There are many tests in a hospital.
 10 Did you take a urine test?
 11 A. No.
 12 Q. Did they do what's called an EKG?
 13 A. No.
 14 Q. Do you know what an EKG is?
 15 A. Yes.
 16 Q. Did you have a physical exam by a
 17 medical doctor or a nurse?
 18 A. That's what I thought I was going
 19 to have, but no.
 20 Q. Did someone check your extremities,
 21 meaning arms, legs, ears, nose, throat, head,
 22 that kind of thing?
 23 A. That's what I thought I was going
 24 to have.
 25 Q. What test did you have?

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1 Williams 84
 2 A. All they did was extract blood.
 3 Q. At the time that happened, did you
 4 ask anybody what other tests you would need to
 5 take or anything about the blood test that was
 6 being given to you at that time?
 7 A. Only thing that I asked was, what
 8 happened to the checkup that I thought I was
 9 going to have.
 10 Q. What did they tell you?
 11 A. They just said you'll be scheduling
 12 another appointment.
 13 Q. This first blood test, did you ask
 14 them whether you would get results that very
 15 same day or did they tell you to come back at
 16 another day?
 17 A. I can't recall.
 18 Q. Did you come back another day after
 19 that first test?
 20 A. Yes.
 21 Q. Did you ever get the results of
 22 that first test?
 23 A. Yes.
 24 Q. What were the results of that test?
 25 A. Non-reactive.

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Williams

Q. What did you understand the words, non-reactive, to mean?

A. I had no idea what they were talking about.

Q. Did you ask somebody? You've been in hospitals and treated with doctors before. Did you think to ask anybody what the words, non-reactive, meant in terms of your blood test?

A. No.

Q. Did it seem to be a good thing or a bad thing to you at the time?

A. I had no idea. I mean, it really didn't register.

Q. Did you know at the time that the blood that was taken from you, whatever date that was, was going to be tested for HIV virus?

A. No.

Q. You did not know that?

A. No.

Q. Did you have any idea what the blood test was being taken for and what results the doctors were looking for within the blood?

A. No.

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Williams

36

MR. GELLER: Object to the form.
If you could break it up.

MR. SILVERSON: I'll just ask
another question.

Q. Who told you the test was
non-reactive?

A. The physician who gave me the
results.

Q. Other than saying those words to
you, was there any other explanation given?

A. I don't understand what you mean.

Q. Did the doctor say, you're
non-reactive and we'd like you to take another
test, or you don't need to worry, your blood is
fine or something else?

A. It was more or less, like, your
blood is non-reactive, we're going to take
another test. Because I recall them saying
something wasn't conclusive to what they were
looking for. And that's why they wanted to run
more tests.

Q. Did they tell you what it was they
were looking for?

A. No.

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1 Williams

2 Q. Do you recall the name of this

3 person?

4 A. No.

5 Q. Do you know whether this person was

6 a doctor, nurse or technician?

7 A. No. A technician would be someone

8 like a phlebotomist; correct?

9 Who is the technician?

10 Q. Well, meaning a medical technician

11 of some kind, meaning a phlebotomist or an aide,

12 a nursing aide, somebody that would draw blood?

13 A. It was someone who had a medical

14 degree.

15 Q. When they said they were looking

16 for something, did you make any inquiry as to

17 what it was that they were looking for?

18 A. No.

19 Q. Did they tell you what other

20 testing they wanted to do, because you had

21 indicated they said they wanted to do further

22 tests.

23 A. No. At this particular point, I'm

24 quite sure I just wanted to hurry up and get out

25 of there. On this particular day I was

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Williams

escorting someone.

Q. What you just said, you took the blood test on the day you brought Jose there, right?

A. Right.

Q. Then you went back to get the results on another day?

A. Yes.

Q. Were you escorting Jose again on that particular day?

A. Yes.

Q. When you say, you wanted to get out of there, meaning you wanted to get back to wherever you were taking Jose?

A. Yes.

Q. So he had gone with you the second time?

A. Actually, I didn't even tell Project Return that I had an appointment. As far as I was concerned, it was just a checkup, you know. Whether I got the results or not, it really wasn't -- I felt good. So it really didn't matter.

Q. You felt good?

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1 Williams 93
 2 think I did speak to one and I'm not sure whom.
 3 Q. After the first visit and after
 4 that first test when the doctor said they wanted
 5 to retest you, did you go back for another blood
 6 test to St. Clare's?
 7 A. Repeat that?
 8 Q. The day you went with Jose, you had
 9 a blood test, the first time?
 10 A. Yes.
 11 Q. You came back a second time and you
 12 met with a medical doctor who told you that they
 13 wanted to do further tests. Did you, in fact,
 14 go back to St. Clare's and have further blood
 15 tests?
 16 A. I was already at St. Clare's when
 17 they did the test.
 18 Q. There was a second test done on or
 19 about, I guess, the 19th of November according
 20 to the records. Does that refresh your
 21 recollection as to the date the second test was
 22 done?
 23 A. Whenever I went to St. Clare's it
 24 usually was to get results of the previous test.
 25 And they take more tests.

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1 Williams 94
 2 Q. The first test that you got there,
 3 did you ever state to anyone at the hospital
 4 that that test and that blood was not your
 5 blood?
 6 A. No.
 7 Q. Did there ever come a time that you
 8 went for a test at St. Clare's for a blood test
 9 and that you had to wait too long and you got
 10 impatient and left and didn't take the test?
 11 A. I can't recall ever leaving or
 12 being impatient.
 13 Q. Did there come a time that a blood
 14 test was scheduled at St. Clare's, you showed up
 15 at St. Clare's, and at some point you left
 16 before taking the test?
 17 A. Usually when it's time to take
 18 blood, the phlebotomist is always available.
 19 We used to call them dracula.
 20 Q. Let's go to the second test. The
 21 first test, there was something there but they
 22 weren't sure. And the second test shows that
 23 your --
 24 MR. GELLER: Objection to form.
 25 That's mischaracterizing the testimony.

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1 Williams 95
 2 MR. SILVERSON: Whatever the
 3 testimony is, it is.
 4 Q. The second test apparently showed
 5 that you were HIV positive, is that correct?
 6 A. The first test was what?
 7 Q. You told me about the first test.
 8 I have no idea what the first did. You told me
 9 the test--
 10 A. Repeat the question, please.
 11 Q. Let me start again. There was a
 12 series of blood tests that you took at St.
 13 Clare's, which is the subject of this lawsuit.
 14 There was a first test that you took when you
 15 went with Jose. Then you got some results, and
 16 that there was no finding of HIV on those tests.
 17 Then there was a second test scheduled
 18 for you. I don't know whether you recall the
 19 dates or not, but for the purposes of this
 20 deposition assume that it was a week or so
 21 later.
 22 Do you remember going for a second blood
 23 test?
 24 A. I remember going in.
 25 Q. This was the test that would have

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1 Williams 96
 2 showed up positive.
 3 A. Your question is, did I go back for
 4 a blood test?
 5 Q. Let me try again.
 6 There is a series of blood tests that you
 7 took at St. Clare's in the months of November
 8 and December of 1996. Do you recall doing that?
 9 A. Yes.
 10 Q. There was also one in 1997 that you
 11 took as well at St. Clare's?
 12 A. Yes.
 13 Q. The first test that you took, the
 14 first day that you got there, we're trying to
 15 find out that date, it's somewhere around 11 or
 16 12th of November.
 17 MR. GELLER: Objection to form. I
 18 think the record says the 10th or 11th.
 19 MR. SILVERSON: Yes, the 10th or
 20 11th.
 21 Q. Either of those dates, that was the
 22 first time that you took blood at St. Clare's
 23 and that was the one where you told me that the
 24 doctors were equivocal, they couldn't make any
 25 findings as to whether or not there was any HIV

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1 Williams 97
 2 virus?
 3 A. I took a test on that day. No
 4 results was given to me that day.
 5 Q. You came back and got the results?
 6 A. Right.
 7 Q. What were the results?
 8 A. As I said, something to the effect
 9 that non-reactive and they want further testing
 10 done.
 11 Q. Now I'm going to the next test,
 12 after the non-reactive finding.
 13 The next test, would it be fair to say it
 14 was about a week later?
 15 A. It was when I went back the second
 16 time.
 17 Q. Yes.
 18 A. They extracted more blood.
 19 Q. Did you get a result of that second
 20 test?
 21 A. Yes.
 22 Q. That result was an HIV positive
 23 finding?
 24 A. Yes.
 25 Q. Did there come a time that you took

1 Williams 98
 2 a third test?
 3 A. Yes.
 4 Q. Do you recall how soon after that
 5 second test the third test came?
 6 A. Do I recall?
 7 Q. Yes.
 8 A. How soon?
 9 Q. Well, if I were to tell you that it
 10 was approximately a month later, would that be a
 11 fair statement?
 12 A. I couldn't say.
 13 Q. Would it refresh your memory if I
 14 told you that the records reflect that you had a
 15 blood test on the 17th of December 1996, which
 16 was approximately almost 30 days after the
 17 second test?
 18 A. Yes.
 19 Q. And that third test came back and
 20 showed HIV positive?
 21 A. Yes.
 22 Q. Then there was a fourth test in
 23 January of 1997, approximately a couple of weeks
 24 after that also?
 25 A. Yes.

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1 Williams 99
 2 Q. Having had those tests and having
 3 found out that you were HIV positive, were you
 4 prescribed some medication and treatment?
 5 A. Yes.
 6 Q. First of all, do you recall any
 7 doctor that you dealt with after finding out
 8 that you were HIV positive, do you know the name
 9 of the doctor?
 10 A. No.
 11 Q. Who is Dr. Lazarus?
 12 A. Dr. Lazarus is the doctor who was
 13 named on most of my medical documents from St.
 14 Clara's.
 15 Q. When did you first meet Dr.
 16 Lazarus?
 17 A. I can't recall.
 18 Q. Was it at any time within the time
 19 frame of those blood tests that you had, that
 20 showed that you were HIV positive?
 21 A. I beg your pardon?
 22 MR. SILVERSON: Can you repeat the
 23 question.
 24 (Whereupon, the prior question was
 25 read back by the reporter.)

1 Williams 100
 2 A. I can't recall that either.
 3 Q. Does the name, Miss Roehrig, a
 4 physician's assistant, ring a bell as to
 5 refreshing your memory?
 6 A. Yes.
 7 Q. Was she the person that you dealt
 8 with during the time period that the blood tests
 9 were being given?
 10 A. Not exclusively, no.
 11 Q. What contact did you have with Miss
 12 Roehrig during the months of November and
 13 December of 1996 and January of 1997?
 14 A. She is the physician who told me
 15 the results of the blood work. And she is the
 16 physician who had -- well, this is what I
 17 remember her saying. She said that she had to
 18 confirm with someone in order to see if they
 19 were going to start treatment. I remember her
 20 leaving the examination room, coming back and
 21 saying that treatment needs to be started
 22 immediately.
 23 Q. Was she the person that first told
 24 you that you were HIV positive?
 25 A. That I don't remember.

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1 Williams 101

2 Q. I believe her first name is Dawn
3 Roehrig?

4 A. I can't be absolute.

5 Q. Dr. Lazarus, what part did he take
6 in these blood tests that you had?

7 When I say blood tests, I'm referring to
8 the tests that were taken in November, December
9 and January.

10 A. What part did he play?

11 Q. Yes. What did he do with you by
12 way of medical treatment or consultation?

13 A. I can't recall Dr. Lazarus. As I
14 said before, I met, I've interacted with
15 numerous physicians at St. Clare's Hospital and
16 Health Center. And whom they were by name, I
17 don't know.

18 Q. Dr. Lazarus, was he one of the
19 persons that drew your blood, did he actually
20 draw?

21 A. No. It was a phlebotomist who drew
22 the blood.

23 Q. Dr. Lazarus, on any of the
24 occasions that you got your blood results back,
25 did he discuss with you what the findings were?

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1 Williams 102

2 A. I can't recall that.

3 Q. Did you go to his office for
4 treatment after, the year of 1997, after being
5 diagnosed with HIV?

6 A. Well, since he was the chief
7 physician I would think that, yes, from the
8 beginning I was entering his offices within the
9 confines of St. Clare's Hospital.

10 Q. Did you meet with him and did he
11 conduct physical examinations?

12 A. I can't say I had. I can't say I
13 met him. I met numerous physicians there and
14 who they are, I can't recall.

15 Q. Mr. Williams, when you started this
16 lawsuit, you did it by what they call pro se, by
17 yourself?

18 A. Yes.

19 Q. You named him as a named defendant
20 in the lawsuit?

21 A. Yes.

22 Q. You made certain allegations as to
23 what he did or didn't do in regards to treating
24 you?

25 A. That is correct.

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1 Williams 103

2 Q. What I'm trying to find out is what
3 things he did or didn't do in terms of your
4 treatment, what you can recall.

5 For example, when was the first time that
6 you met Dr. Lazarus?

7 A. May I confer with my counsel?

8 Q. Sure.

9 MR. SILVERSON: Off the record.

10 (Whereupon, a discussion was held
11 off the record.)

12 Q. The question, more simply put is,
13 when did you first meet Dr. Lazarus?

14 A. I don't recall if I ever met Dr.
15 Lazarus or not.

16 The reason why I had Dr. Lazarus as a
17 defendant is because he is on all my paperwork,
18 his name is on all my paperwork. I had my
19 sister make an inquiry for me back in 2003 or
20 2004 when I was drafting my complaint and
21 interrogatories as to who Dr. Lazarus was. And
22 I was apprised that Dr. Lazarus was the chief
23 physician. So he, to me of course, appeared to
24 be the most credible defendant to name in my
25 petition.

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1 Williams 104

2 Q. So your answer to my question about
3 meeting with him is, you don't have any
4 recollection of any specific meetings and
5 whatever allegations you set forth in your
6 complaint as to him was based on the fact that
7 he was head of the department or in some
8 capacity showed up on your name plate on various
9 medical documents at St. Clare's?

10 A. Correct.

11 Q. You had more direct contact then
12 with Miss Roehrig in terms of your testing in
13 the initial stages of your appearances at St.
14 Clare's, that she was the physician's assistant
15 who had some discussion with you about your
16 condition, right?

17 A. I spoke with her on numerous
18 occasions.

19 Q. What advice did she give you in
20 terms of how to treat the condition that had
21 been diagnosed as being HIV positive, did she
22 give you a checklist of things to do or did she
23 refer you to a physician or some other entity to
24 help you with this condition?

25 MR. GELDER: I object to the form.

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1 Williams 105

2 I think that mischaracterizes his
 3 testimony. You can go ahead and answer
 4 if you understand.

5 A. Miss Roehrig was -- basically she
 6 gave advice on how I should not miss taking the
 7 medication. I should be consistent with taking
 8 the medication. She put emphasis on how
 9 dangerous it would be for me to discontinue it
 10 at any time. She told me that I should be
 11 careful to let -- to keep my viral load down.
 12 In the beginning I had no idea what she was
 13 talking about, until we had a little more in
 14 depth conversation of what viral loads are and
 15 stuff of this nature, which helped me to be more
 16 informative about the diagnosis which they were
 17 treating me for.

18 Q. As best as you can remember by way
 19 of substance of what she told you, what did she
 20 tell you about viral loads and your treatment;
 21 you said she went into some depth, as best as
 22 you can remember.

23 A. She said that the viral load is
 24 something that determines the virus in like
 25 regard to your blood or something to that

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1 Williams 106

2 effect -- that there is an amount of virus that
 3 you have in your blood. Then she was saying
 4 that the medication would keep it low. And for
 5 me to be very prompt and being on time taking
 6 this medication.

7 Q. Do you recall the names of the
 8 medications that was prescribed for you to
 9 combat the HIV positive virus that they
 10 identified?

11 A. Epivir, Retrovir and Saquinavir.

12 Q. These are pills?

13 A. Yes.

14 Q. Are they to be taken daily?

15 A. Yes.

16 Q. They're three different types of
 17 pills that you would take?

18 A. Well, actually there were numerous
 19 of other medications.

20 Q. Can you identify those for me?

21 A. No.

22 Q. Were they related to the treatment
 23 of the virus?

24 A. Yes.

25 Q. Can you tell me what they were?

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1 Williams 107

2 A. I can tell you some of the names.
 3 I can't give you the complete list of all of
 4 them.

5 Q. It's in your record, so just do the
 6 best you can?

7 A. She had me on two types of Prozac,
 8 Zithromax.

9 Q. Prozac is an antidepressant drug;
 10 is it not?

11 A. That is correct.

12 Q. That was part of your treatment
 13 plan?

14 A. That was part of what they were
 15 giving me.

16 MR. GELLER: I'm just going to ask
 17 for a pause for one second. I want to
 18 confer with him.

19 Off the record.

20 (Whereupon, a discussion was held
 21 off the record.)

22 MR. SILVERSON: You can continue
 23 with your answer.

24 A. All these various medications that
 25 were prescribed to me were not prescribed

1 Williams 108

2 exclusively by Roehrig. They were prescribed by
 3 a number of doctors under the supervision of Ted
 4 Lazarus. So when I give you some of the names
 5 of the medications that was prescribed to me, it
 6 wasn't prescribed exclusively by Dawn Roehrig.

7 Q. I understood that, but I'm glad you
 8 clarified it.

9 A. Zithromax, Prozac, Naprosyn,
 10 Megace, Slatil. The list goes on.

11 Q. Were some of these pills taken as
 12 needed or were they taken on a daily basis or
 13 several times a day depending on the
 14 prescription?

15 MR. GELLER: Object to the form,
 16 compound.

17 Q. For example, the drugs that were
 18 combating the AIDS virus, the ones that you
 19 mentioned, the Epivir, Retrovir and Saquinavir,
 20 those were all drugs that you took on a daily
 21 basis; is that correct?

22 A. Yes.

23 Q. When did you commence or when did
 24 you start taking those drugs?

25 A. They had me start on that

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1 Williams 109
 2 medication -- when I say, they--
 3 Q Meaning someone at the hospital?
 4 A Meaning people, the staff.
 5 Q Any reference to they, it will be
 6 understood that you're meaning people at St.
 7 Clare's Hospital.
 8 A Right. And not specifically or
 9 exclusively any one person.
 10 Q A variety of staff people?
 11 A Yes.
 12 Q Understood.
 13 A It started after the first viral
 14 load -- no, yes, the first result of their viral
 15 load that came back as my being positive.
 16 Q Just so that we're clear, our
 17 records, the records for St. Clare's show that
 18 you treated at Spellman Clinic from November 11,
 19 1996 through August 15, 1997. So roughly nine
 20 months. Would that be about the right time
 21 period, would you agree with that?
 22 A Say those dates again, please.
 23 Q Those are the dates that you set
 24 forth in your complaint about the period of
 25 malpractice?

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1 Williams 110
 2 A Okay.
 3 Q Those were the dates while at the
 4 Spellman Clinic, that there was a departure from
 5 the standard of care during that time period?
 6 A Right.
 7 Q The drugs that you just named them,
 8 those are drugs that you took during that time
 9 frame period, which is approximately nine
 10 months?
 11 A Right.
 12 Q In terms of side effects or results
 13 of taking these drugs, what if any occurred?
 14 A I felt like I was dying every time
 15 I ingested these pills. They had me keeled over
 16 as though my stomach was pushed to the far
 17 crevices of my back. I could not stand up
 18 straight. I could not see straight. I was
 19 nauseated.
 20 Q Are you saying abdominal pain?
 21 A Yes.
 22 Q Severe abdominal pain?
 23 A Yes.
 24 Q Would that occur immediately after
 25 taking the drug?

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1 Williams 111
 2 A Shortly after, I would say, once
 3 the drug had been dissolved and you know it's
 4 supposed to be doing its work for me, then the
 5 symptoms come.
 6 Q The first symptom you would
 7 experience after taking the antiretroviral drugs
 8 was severe abdomen pain?
 9 A Yes;
 10 Q It took place within a short period
 11 of time after taking the drug?
 12 A Yes, and it lasted.
 13 Q For how long?
 14 A A long time. I mean, because mind
 15 you these pills are taken several times a day.
 16 So they, you know, I'm in pain several times a
 17 day, excruciating pain.
 18 Q How many times a day were you
 19 taking the antiretroviral drugs in the early
 20 months of your treatment?
 21 A I think four times a day.
 22 Q Would you take one pill of each
 23 type of drug or do you remember the dosages?
 24 A I can't remember that.
 25 Q You're telling me that each time

1 Williams 112
 2 you took these drugs that you would experience
 3 side effects, one of them that you stated
 4 already is the severe abdominal pain that would
 5 last for a long time?
 6 A Yes.
 7 Q Can you give me in terms of
 8 minutes, hours, how long this abdominal pain
 9 lasted?
 10 A Hours. Hours on end. By the time
 11 the pain would subside, it's time to take
 12 another dose of medication.
 13 In other words, I was taking medication
 14 to constantly stay in pain and to have diarrhea.
 15 I was constantly taking medication to be
 16 nauseated and sick.
 17 Q Let me just stay with the abdominal
 18 pain for a minute. You are saying that the
 19 reaction to the drugs, the antiretroviral drugs,
 20 was severe abdominal pain that lasted pretty
 21 much from the time you took it almost to the
 22 next time you had to take it during the day?
 23 A Pretty much. By the time it
 24 subsided I had to ingest the pills again. The
 25 pills obviously dissolved in my stomach and it

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1 Williams

113

2 caused it again.

3 Q. This occurred from the time you
 4 started taking it, which was after the viral
 5 load showed high, for how long a period of time
 6 did you have to take these drugs, until when?

7 A. Throughout the period of my
 8 treatment at St. Clare's.

9 Q. During that approximately whole
 10 nine-month period of time, you had daily pain,
 11 severe abdominal pain from this.

12 A. Yes.

13 Q. In addition to the abdominal pain,
 14 you mentioned nausea. When did that occur?

15 A. All this occurred simultaneously,
 16 right behind one another, at the same time
 17 period. If I ingested pills today at 12:00, by
 18 1:00, 1:30, I'm in pain.

19 Q. You're in pain and you're nauseous
 20 as well?

21 A. Right. I mean, there are numerous
 22 things.

23 Q. I just want to stay with the nausea
 24 now. This was a daily occurrence?

25 A. Daily occurrence.

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1 Williams

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2 Q. So would it be fair to say that
 3 during that time period you were at Spellman and
 4 under treatment and taking these drugs, that you
 5 experienced daily nausea?

6 A. Yes.

7 Q. For long periods of time or shorter
 8 periods of time?

9 A. I was nauseated shortly after
 10 ingesting the pills.

11 Q. Did it pass within a short time or
 12 did it stay with you, as you said with the
 13 abdominal pain it lasted from pill to pill. Now
 14 about the nausea, did that last the same amount
 15 of time or something else?

16 A. Sometimes when I throw up, then I
 17 regurgitated something, and I feel a little bit
 18 better. But then I would have to ingest
 19 medication again within a few more hours, which
 20 would put me right back in that state.

21 Q. You mentioned diarrhea. What was
 22 the frequency of diarrhea during the time period
 23 you treated at Spellman, was it something that
 24 you experienced daily, weekly, infrequently,
 25 everyday or something else?

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1 Williams

115

2 A. The diarrhea, it has gotten bad to
 3 where I've defecated in my clothes.

4 Q. Mr. Williams I'm asking in terms of
 5 frequency, was it everyday, every other day,
 6 every week or something else?

7 You've been able to describe the
 8 abdominal pain and nausea as being daily.

9 A. It was everyday that I took my
 10 medication. Everyday.

11 Q. You had an episode of diarrhea?

12 A. And I think they prescribed
 13 something for my stool, where it helped because
 14 the diarrhea wasn't -- how could I put it, when
 15 I had an episode of diarrhea, I mean it was
 16 just -- I couldn't, I had no control of my
 17 bowel.

18 Q. You had to get to the bathroom
 19 quickly?

20 A. Yes. And if I didn't make it, it
 21 was like a child having to urinate, you couldn't
 22 hold it. They gave me something to the point
 23 where I was able to have some control over it.

24 And I think they took me off the Megace,
 25 I think that was Megace, because Megace was

1 Williams

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2 considered a stool softener. With diarrhea you
 3 don't need a stool softener. They took me off
 4 of that and put me on something else and my
 5 diarrhea wasn't as frequent.

6 Q. Other than the abdominal pain,
 7 nausea and diarrhea, what other side effects, if
 8 any, did you incur as a result of taking this
 9 medication; that medication, again, meaning the
 10 drugs that were combating the HIV positive
 11 virus?

12 A. Numbness.

13 Q. Can you describe what part of your
 14 body felt numb?

15 A. My arms and legs.

16 Q. In terms of frequency of the
 17 feeling of numbness, how would you allocate that
 18 in terms of time?

19 A. It's kind of hard for me. It
 20 wasn't as frequent as the nausea. It wasn't as
 21 frequent as the abdominal pain. But sometimes
 22 when I did have those excruciating pains it felt
 23 like my blood had stopped circulating in my arms
 24 and legs. That if I tried to stand I couldn't
 25 feel my legs. If I tried to grab something I

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1 Williams 117
 2 didn't feel it, because I didn't have the normal
 3 usage of my hands and my limbs. The numbness
 4 that I got wasn't as frequent, like I said, with
 5 those episodes of abdominal pain.

6 Another time I can recall being aware of
 7 the numbness was like if I go through an episode
 8 of abdominal pain and laid down, you know, until
 9 I can recoup enough to get up and try to
 10 function a little bit throughout my household, I
 11 would feel this tingling. And the Naprosyn that
 12 they gave me didn't work. But the numbness
 13 wasn't -- I mean, if I moved, exert my hands and
 14 feet.

15 Q. Meaning clutching your fists and
 16 stretching?

17 A. Yes. It was like trying to get the
 18 blood to circulate, I don't know what. I'm not
 19 a medical practitioner, but all I could say is
 20 that I had numbness.

21 Q. What is your best estimate of how
 22 long the numbness lasted in terms of time, as
 23 best as you can estimate it; or whatever the
 24 frequency was, how long did it last?

25 A. No more than an hour and a half to

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1 Williams 118
 2 two hours at length.

3 Q. Other than the numbness, diarrhea,
 4 nausea and abdominal pain, what other symptoms
 5 were you exhibiting that you attribute to the
 6 medication that you were taking?

7 A. That I attributed--

8 MR. SILVERSON: Would you read back
 9 the question, please.

10 (Whereupon, the prior question was
 11 read back by the reporter.)

12 A. Fatigue.

13 Q. Anything else?

14 A. Being weak, I didn't have any
 15 energy. I lost weight, because I couldn't hold
 16 down my food.

17 Q. Since you mentioned weight, what
 18 was your height and weight in November of 1996
 19 when you went to St. Clare's Hospital for that
 20 blood test?

21 A. I don't recall. I'm 5 foot 3.

22 Q. What is your weight now?

23 A. My weight now is 185.

24 Q. Do you have any recollection, the
 25 records will bear out what it is, how much

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1 Williams 119
 2 weight loss do you feel that you incurred as a
 3 result of having to take these drugs?

4 A. I would say five pounds -- five to
 5 eight pounds.

6 Q. So you would be down to the 170s in
 7 your weight?

8 A. No. I was down in the 160s.

9 Q. Let me start with the severe
 10 abdominal pain. Once you started taking these
 11 drugs and you got this daily severe abdominal
 12 pains, did you tell anyone at St. Clare's
 13 Hospital that you were experiencing this side
 14 effect?

15 A. Yes.

16 Q. Who did you tell?

17 A. Their staff.

18 Q. A staff person?

19 A. Yes.

20 Q. Do you recall when you first
 21 started to tell them about the complaints?

22 A. I don't recall.

23 Q. From the day you first started
 24 taking these drugs, did these side effects start
 25 hitting you right away or did it take a little

1 Williams 120
 2 while for them to develop?

3 A. I recall complaining about -- like,
 4 some drugs give me different reactions. When I
 5 took the medication for the virus, that's when I
 6 got the stomach pain and nausea and everything
 7 else.

8 But there was other drugs too that I've
 9 taken. I don't know if it was the Zithromax or
 10 the Naprosyn or whatever, but I experienced
 11 feelings, but I don't remember what they were at
 12 this time.

13 Q. In your complaint you refer, in
 14 addition to the things that you've mentioned,
 15 that you suffered liver damage as a result of
 16 taking these drugs. Did you ever speak to a
 17 physician or have testing on your liver during
 18 this time period that you were at Spallman,
 19 which would indicate that you suffered liver
 20 damage from the ingestion of the antiretroviral
 21 drugs?

22 A. No. But I do recall them telling
 23 me that my enzymes, the enzyme level was high.

24 Q. As of today, are you suffering from
 25 any type of liver disease or liver damage?

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1 Williams 121
 2 A. Not that I know of, no. I'm not
 3 being treated for anything.
 4 Q. As of today, are you suffering from
 5 diarrhea?
 6 A. No.
 7 Q. How about abdominal pain and/or
 8 nausea?
 9 A. No.
 10 Q. In terms of numbness?
 11 A. No.
 12 Q. Did there come a time when you
 13 stopped taking the antiretroviral drugs?
 14 A. Yes.
 15 Q. When was that?
 16 A. I don't recall exactly when, but I
 17 remember just stopping.
 18 Q. Did you take these drugs for the
 19 nine-month period that you treated at Spellman?
 20 A. I can't answer that. I don't know.
 21 I would say, yes, but I can't be sure.
 22 Q. Did you take them after 1997 into
 23 1998 and forward?
 24 A. They just made me too sick. I
 25 couldn't stomach them.

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1 Williams 122
 2 Q. Would it be fair to say that once
 3 you stopped taking the drugs the symptoms that
 4 you described to me stopped?
 5 A. Oh, yes.
 6 Q. Did you ever complain to anyone at
 7 St. Clare's, the staff members, Dr. Lazarus,
 8 Miss Roehrig, about these other symptoms, the
 9 nausea, the diarrhea and numbness?
 10 A. Repeat that question.
 11 Q. Did you tell anybody at St. Clare's
 12 during the time period in which you treated,
 13 about the nausea, the diarrhea and the numbness?
 14 A. Yes.
 15 Q. Did any of those staff people at
 16 St. Clare's either give you medication or change
 17 your treatment so as to alleviate the symptoms
 18 while you were there?
 19 A. Some of the medication was changed,
 20 but they would not change the cocktail that they
 21 was giving me.
 22 Q. The cocktail, meaning the three
 23 drugs that we talked about?
 24 A. Yes. Right.
 25 Q. Prior to getting these drugs, did

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1 Williams 123
 2 any medical person at St. Clare's describe for
 3 you that there might be side effects in taking
 4 these drugs?
 5 A. No. Not at all, no.
 6 Q. So that you went ahead and took
 7 these drugs with the understanding that there
 8 would be no side effects?
 9 A. I took these drugs because they
 10 said that it would keep the viral load down.
 11 The viral load staying down would allow me to
 12 fight off any colds, bacteria or anything that I
 13 may become infected with, which therefore would
 14 help me live longer. That's why I took them.
 15 Q. With the nausea and the diarrhea
 16 and the pain, how about the diet that you were
 17 on, were you given any restrictive diet or a
 18 particular diet to follow while you were under
 19 treatment?
 20 A. They gave me Ensure.
 21 Q. What is Ensure?
 22 A. It's a dietary supplement. It's
 23 like a dairy product.
 24 Q. It's like a vitamin enhancement?
 25 A. Yes.

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1 Williams 124

2 Q. Would you be prescribed to take
 3 that along with the meals that you were eating
 4 as well?

5 A. I was told to take it according to
 6 the prescription, the prescribed times that they
 7 told me. Whether it was with meals or not, I
 8 don't recall.

9 Q. During this time period you were
 10 being treated at St. Clare's, did you ever
 11 request that they allow you to work, that you
 12 wanted to go back to work?

13 A. I don't recall.

14 Q. Were you ever advised by anyone at
 15 St. Clare's, more specifically Miss Roehrig,
 16 that you were able to go to work even though you
 17 were taking these medications?

18 A. Yes. I think I was told that. But
 19 my question to her at the time was how could I
 20 work when this medication had me in the state
 21 that it does.

22 Q. So that you did tell Miss Roehrig
 23 that you were having symptoms from the
 24 medication?

25 A. Yes. Oh, yes.

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1 Williams 125

2 Q. Did she advise you, either she or
 3 someone at St. Clare's, to change the dosages or
 4 change the medications to help you alleviate the
 5 symptoms that you were experiencing?

6 A. I don't recall.

7 Q. Did she refer you to a nutritionist
 8 at St. Clare's to help you with your diet,
 9 during this time period?

10 A. Yes.

11 Q. Did they give you written material
 12 and things of that nature to guide you in what
 13 to eat and try to stay healthy?

14 A. That and the Ensure.

15 Q. During the time period that you
 16 were at Spellman, were you still living at
 17 Project Return?

18 A. Part of the time.

19 Q. There came a time when you were
 20 able to leave Project Return?

21 A. Yes.

22 Q. Where did you go from there?

23 A. To the Bronx.

24 Q. Was that the Mount Eden address
 25 that you gave us earlier?

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1 Williams 126

2 A. No. I forgot the address that I
 3 had in the Bronx. I think it was in South
 4 Bronx, like, 170th Street.

5 Q. Did you live alone or with somebody
 6 else?

7 A. No, alone.

8 Q. Were you working at the time?

9 A. No.

10 Q. How were you paying for your rental
 11 each month?

12 A. Through public assistance.

13 Q. In addition, once you were
 14 diagnosed HIV positive, did you apply for any
 15 grants or any additional assistance due to the
 16 fact that you were diagnosed HIV positive?

17 A. I applied, but was denied.

18 Q. Did you ever reapply after that
 19 denial?

20 A. Not to my recollection. They
 21 denied me. By the time I got my denial from
 22 social security administration, you know, I was
 23 so tired of being sick everyday, from ingesting
 24 this medication. So I was just ready to give it
 25 all up and go on about my life. And if I get

1 Williams 127

2 sick and die, I just get sick and die, because
 3 this medication was killing me. So I left and
 4 went to West Virginia.

5 Q. You left the City?

6 A. Yes.

7 Q. You mentioned social security
 8 administration and previously today we requested
 9 authorizations and they've either been provided
 10 or will be.

11 Did you apply for disability under social
 12 security?

13 A. Did I?

14 Q. Did you fill out an application and
 15 apply for benefits?

16 A. Yes.

17 MR. SILVERSON: If it hasn't
 18 already been provided, I request a copy.

19 MR. GELLER: Yes.

20 Q. Did that application indicate the
 21 nature and extent of what your disability was at
 22 the time?

23 A. Yes.

24 Q. What was that?

25 A. HIV positive.

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1 Williams 128
 2 Q. Did you document that application
 3 with any medical reports?
 4 A. I don't understand the question.
 5 Q. When you fill out an application
 6 for disability and social security, there's
 7 boxes to fill out, the name of the doctor,
 8 treatment dates, and so forth. In addition to
 9 that, you can attach supplemental records to it.
 10 Did you attach any documents from any
 11 medical professional?

12 A. I don't recall.

13 Q. If you did it would be attached to
 14 the application, would it not?

15 A. Yes.

16 MR. GELLER: For the record, I'm
 17 going to object to the form of that
 18 question as a hypothetical.

19 Q. Do you recall the date that you
 20 filed the application for social security?

21 A. No.

22 Q. Do you recall the date that it was
 23 denied?

24 A. No.

25 Q. Was it within the time frame of the

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1 Williams 129
 2 time that you were at Spellman, those nine
 3 months?
 4 And when I say Spellman, I mean St.
 5 Clare's.
 6 A. I don't remember.
 7 Q. Did you have some type of fungal
 8 infection during the time you were treating at
 9 St. Clare's?
 10 Do you know what a fungal infection is?
 11 A. No. I don't know what a fungal
 12 infection is.

13 Q. Did you ever take a drug called
 14 Sporanox?

15 A. Whatever I took, it's in the
 16 record. Like I said, I don't recall all the
 17 medications.

18 Q. Were you suffering, at the time, in
 19 December of '96 and following, the time period
 20 you were at Spellman/St. Clare's, from
 21 depression?

22 A. Yes.

23 Q. Were you treating with a
 24 psychiatrist or psychologist for the depression?

25 A. At St. Clare's you mean?

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1 Williams 130
 2 Q. Or anywhere.
 3 A. I wasn't seeing anybody. St.
 4 Clare's was exclusively the medical facility
 5 that I was frequenting.
 6 Q. Who did you see at St. Clare's for
 7 your depression?

8 A. Again, I don't know all these
 9 doctors. In fact, I don't know any of them by
 10 name. All I could tell you is that it was a
 11 physician within the confines of St.
 12 Clare's/Spellman Clinic.

13 Q. How frequently did you meet with or
 14 treat with a psychologist or psychiatrist at St.
 15 Clare's?

16 A. I don't know.

17 Q. Would it be more than once a month?

18 A. I would say it was frequently.

19 Frequent enough for them to give me medication.

20 Q. You described, I think, Elavil and
 21 Prozac. These are drugs that are frequently
 22 prescribed by psychiatrists. Did you meet with
 23 a psychiatrist?

24 A. Yes.

25 Q. You don't recall his or her name?

1 Williams 131
 2 A. No.
 3 Q. You don't know how frequently you
 4 met with him or her?
 5 A. No.
 6 Q. Do you remember whether it was a he
 7 or a she?
 8 A. No.

9 Q. Do you remember the nature of the
 10 discussions and the reason for the depression,
 11 did you get into any details with the doctors?

12 A. I remember I was depressed from
 13 being diagnosed with the HIV virus. I recall
 14 being more depressed when the viral load was
 15 like real high. I recall the psychotropic drug
 16 that they were giving me was increased, because
 17 my depression became more intense. But how
 18 often I met with them, I don't know. I don't
 19 recall.

20 Q. Would it be fair to say that you
 21 met with them during the nine months that you
 22 were treating at St. Clare's?

23 A. Many times, yes.

24 Q. After you left St. Clare's in
 25 August of 1997, did you continue treatment with

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1 Williams 132
 2 any psychiatrist?
 3 A. Yes.
 4 Q. Who was that?
 5 A. Shawnee Hills.
 6 Q. Is that the name of a person or the
 7 name of a place?
 8 A. That's the name of a medical
 9 institution.
 10 Q. Where is that?
 11 A. Charleston, West Virginia.
 12 MR. GELLER: I think we're
 13 going into another area. It might be a
 14 time for a lunch break soon, it's getting
 15 on to 1:30.
 16 After this question, if you want
 17 to finish a particular line.
 18 MR. SILVERSON: Whatever is your
 19 pleasure. I think we're going to be here
 20 for another hour or two.
 21 Off the record.
 22 (Whereupon, a lunch break was
 23 taken.)
 24 CONTINUED EXAMINATION BY
 25 MR. SILVERSON:

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1 Williams 133
 2 Q. When did you start treating at
 3 Shawnee Hills?
 4 A. I think it was October of 1998.
 5 Q. What was the nature of the
 6 treatment that you received?
 7 A. I had problems coping with
 8 employment due to my fear of dying because of
 9 AIDS. I had a problem with interacting with
 10 people, because of my fear that they knew of my
 11 being contracted with the AIDS virus.
 12 I had problems rearing my son, to the
 13 point where he had to seek psychiatric
 14 evaluation and help and medication. I mean, he
 15 literally had to go on medication because of
 16 what I was putting him through.
 17 I was just in constant fear of dying, not
 18 being able to live a normal life, a life that we
 19 know to be normal. And it just was too
 20 overwhelming for me to have to endure. And
 21 having to go to Shawnee Hills was somewhat of a
 22 help.
 23 Q. This was a facility. Did you move
 24 into the facility or was this an out-patient or
 25 in-patient facility?

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1 Williams 134
 2 A. Out-patient.
 3 Q. What was your frequency of your
 4 treatment at Shawnee Hills?
 5 A. I went -- one month I went about
 6 two times. And after that I'm quite sure, but
 7 don't quote me, but it was pretty much every
 8 month.
 9 Now there was times that I had to just
 10 walk in because the anxiety that I was going
 11 through because of my diagnosis, and just
 12 leaving New York, and I had nobody to converse
 13 with, compelled me to go in.
 14 Q. You mentioned your 10 year old son.
 15 While you were in New York, was he living with
 16 you here?
 17 A. No.
 18 Q. Was he living with your mother or
 19 someone else?
 20 A. He was living with his mother.
 21 Q. When you left New York, did you
 22 move back in with the mother or did you live in
 23 the same community where your son was living?
 24 A. Repeat that?
 25 Q. When you moved back to West

1 Williams 135
 2 Virginia after you left New York, did you move
 3 in with your son's mother or someplace else?
 4 A. That was two questions. You asked
 5 me did I move in with his mother and I said no.
 6 Q. Or someplace else?
 7 A. I moved to West Virginia.
 8 Q. Where did you live in West
 9 Virginia?
 10 A. The first few weeks I lived at 20
 11 West Walnut Street in Richwood, West Virginia.
 12 The address where I'm at now. From there I
 13 moved to Charleston, West Virginia, 1819 Kanawha
 14 Boulevard.
 15 Q. You mentioned you had trouble
 16 interacting with people when you knew you had
 17 been infected with the AIDS virus. Did you tell
 18 people when you got back to West Virginia that
 19 you were HIV positive?
 20 A. That I had the AIDS virus?
 21 Q. You mentioned before that you had
 22 employment problems and you had a fear of dying.
 23 You further mentioned that you had difficulty
 24 interacting with people who knew you had the
 25 disease, AIDS.

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1 Williams 136
 2 MS. LINDSAY: Objection.
 3 Mischaracterizes his testimony.
 4 MR. SILVERSON: I'll go back then.
 5 Q. Did you state earlier in your
 6 testimony that you had difficulty interacting
 7 with people because of the fact that you had the
 8 HIV virus?
 9 A. Yes. But I didn't mention anything
 10 that I told them.
 11 Q. When you got back to West Virginia,
 12 how did people know that you had the HIV virus
 13 if you didn't tell them?
 14 A. It wasn't the point that I didn't
 15 tell them. Being here in New York, you see
 16 someone who looks sick, you immediately think
 17 that they have something. And as in my
 18 situation, you know, I thought that I looked
 19 sick. I thought my looking sick, feeling sick,
 20 was probably at that time all mental. That
 21 people instinctively thought that I was sick
 22 with something deadly.
 23 Q. When you moved back to Charleston,
 24 West Virginia, by way of your appearance, you
 25 believed that people felt you had some type of

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1 Williams 138
 2 A. No. It was my having to support a
 3 child on my own as a single parent with having
 4 undergone -- it was difficult for me to raise
 5 him, very difficult for me to raise Andre
 6 because of my fear of dying of AIDS, and my
 7 reluctance to interact with people because of
 8 those diagnoses.
 9 Q. How did that affect Andre?
 10 A. Andre's your son's name? What's his last
 11 name?
 12 A. Andre Macoya Williams.
 13 Q. Are you still married to his
 14 mother, or something else?
 15 A. I've never been married.
 16 Q. Did you acknowledge paternity of
 17 your son?
 18 A. Yes.
 19 Q. You're on the birth certificate as
 20 his father?
 21 A. Yes.
 22 Q. You mentioned--
 23 A. Well, I don't know. I've never
 24 seen his birth certificate, but I would imagine
 25 so. He has my last name.

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1 Williams 137
 2 deadly disease; would that be a fair statement?
 3 A. No, it wouldn't be a fair
 4 statement.
 5 Q. What's unfair about the statement?
 6 A. What is unfair about it is, because
 7 I couldn't tell you what people believed. This
 8 is what I thought.
 9 Q. You thought that because you felt
 10 you looked sick; is that correct?
 11 A. Yes.
 12 Q. That's what I was trying to say,
 13 Mr. Williams.
 14 Other than going to the Shawnee Hills
 15 Clinic, did you tell your friends that you had
 16 in West Virginia or your family that you
 17 believed that you had the AIDS virus?
 18 A. I told nobody at that time, that
 19 particular time.
 20 Q. You mentioned having difficulty
 21 with your son during this time period?
 22 A. Yes.
 23 Q. You said that it was your
 24 interaction with him that might have caused some
 25 of his problems or something else?

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1 Williams 139
 2 Q. You mentioned you had difficulty
 3 supporting the child. Did you mean by that
 4 financial support or something else?
 5 A. By emotionally, financially.
 6 Q. Is there any family court order or
 7 what would be equivalent to a family court here
 8 in New York that's in West Virginia that
 9 required you to support your child?
 10 A. No, never.
 11 Q. In the past, had you supported your
 12 child financially?
 13 A. Yes.
 14 Q. In what manner?
 15 Is there a monthly payment that you would
 16 make or something else?
 17 A. You would have to clarify what you
 18 mean by that. During what period?
 19 Q. Your son is ten years old. In the
 20 ten years that he was born, did you make child
 21 support payments to his mother during that
 22 ten-year period, at any time?
 23 A. I gave his mother money. I
 24 wouldn't call it child support. Because he's my
 25 child, I have to take care of him. I mean,

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1 Williams 140
 2 usually child support is something that is
 3 ordered by the court for you to pay.

4 Q. That's what I was referring to, but
 5 you said that--

6 A. No.. I never had a court order to
 7 take care of any of my children.

8 Q. You took care of them?

9 A. On my own.

10 Q. In terms of support, did this in
 11 some way affect your emotional being at that
 12 time, either the failure to support him or
 13 having to support him in some way?

14 A. Prior to the diagnosis given to me
 15 by St. Clare's Hospital and Health Center, I've
 16 never had a problem taking care of my son
 17 financially, nor in any other capacity. It
 18 became very strenuous upon me after the
 19 diagnosis, because this was something that was
 20 not common for me to have to undergo.

21 Q. What's the date of birth of your
 22 child?

23 A. July 1, 1996.

24 Q. In terms of income and support for
 25 the child, on the average, in the years that you

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1 Williams 141
 2 did support him, what was the average payment
 3 that you would make on an annual basis for his
 4 support?

5 A. I couldn't give you a figure.

6 Q. From, I guess, other than the years
 7 you were in correctional facilities and I just
 8 want to jump to another area, you made a claim
 9 for lost wages in your claim against the
 10 hospital. I assume that you're only accounting
 11 for those years that you were in the working
 12 world, which would mean, I guess, '96 through
 13 the year 2000, and then I think you had been
 14 imprisoned again until 2005.

15 So for those four or five years, what was
 16 your annual income, for example, in the year
 17 1996, if you know?

18 A. I don't know.

19 Q. How about in 1997?

20 A. I don't know.

21 Q. 1998?

22 A. I don't know.

23 Q. 1999?

24 A. Again, I don't know.

25 Q. Do you have any records, either by

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1 Williams 142
 2 way of a W-2 statement or notations of the
 3 amount of money that you made during those
 4 years?

5 A. At that time in my life I was never
 6 one to keep documentation of anything.

7 MR. SILVERSON: I've asked the
 8 question about tax returns. We've asked
 9 for copies of them, whether you filed
 10 them late, or not at all or amended them.
 11 If you do have tax returns for those
 12 years, again, I make a request for their
 13 production.

14 Q. Is there anything other than that
 15 I've asked you about that you can substantiate
 16 your income loss for those years?

17 A. Other than having to grab a pen and
 18 paper and trying to figure out correctly, that's
 19 the only way.

20 MR. SILVERSON: I'll leave a space
 21 in the transcript. If you can come up
 22 with a computation for those years,
 23 please fill in the blanks for those years
 24 and, if not, indicate that you can't.

25 (INSERT):

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1 Williams 143
 2
 3 MS. LINDSAY: Objection.
 4 MR. GELLER: I'll just note for the
 5 record that there was a request by
 6 counsel.

7 Q. In terms of expenses, during that
 8 time period from the time you were diagnosed at
 9 Spellman in '96 through '97 while you were there
 10 and thereafter, have you had any out-of-pocket
 11 expenses that hasn't been covered by either
 12 Medicaid, Social Security or insurance?

13 In other words, cash out of your pocket,
 14 money you've had to layout for doctors and
 15 medicines?

16 A. For what time period?

17 Q. From the time period you were
 18 diagnosed with the HIV and then afterwards, from
 19 1997 up and through the present.

20 A. Yes. The amount, I couldn't tell
 21 you what it was.

22 Q. Do you have an approximation of the
 23 amount?

24 A. I would say maybe \$1,500 to \$2,000.
 25 And these bills were paid for by my mother at

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1 Williams 144

2 Shawnee Hills.

3 Q. Mr. Williams, I'm not talking about
 4 that. I'm talking about in total. As a basis
 5 of this lawsuit, you are asking for a sum of
 6 money to be compensated for the negligence and
 7 the injuries that you incurred.

8 I'm just trying to find out how much
 9 you've lost in terms of monies you had to pay
 10 for things related to your medical condition?

11 A. I couldn't give you a figure on
 12 that.

13 Q. Again, if you have documentation
 14 for it, we'd ask that you produce it or I'll
 15 leave a space and you can do the computation, as
 16 long as you explain how you arrived at the
 17 number so we can see how you came to the number.
 18 Would that be fair?

19 A. Yes.

20 (INSERT) _____

21 Q. Are there any liens against you by
 22 way of insurance or Medicaid or Social Security,
 23 liens that you know of?

24 A. No.

25 Q. Now back to Shawnee Hills. Who was

1 Williams 145

2 the doctor who you treated with at Shawnee
 3 Hills?

4 A. I've seen several doctors there.

5 Q. Do you have a name for me?

6 A. No, I do not.

7 MR. SILVERSON: Off record.

8 (Whereupon, a discussion was held
 9 off the record.)

10 Q. Mr. Williams, in that regard, if
 11 you could be helpful in the sense that -- you
 12 have no recollection of any name of any doctor
 13 that you treated with there?

14 A. No, I do not.

15 Q. Do you know the length of time that
 16 you treated there?

17 You mentioned October of '98, until when,
 18 would you say?

19 You mentioned months so I assume it would
 20 be more than a month.

21 A. It was up until probably June or
 22 July of '99 that I like stopped seeing them.

23 Q. Was there a reason that you stopped
 24 seeing them?

25 A. I got indicted.

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1 Williams 146

2 Q. Did that indictment result in a
 3 conviction?

4 A. Yes.

5 Q. What were you convicted of?

6 A. I was convicted of abduction.

7 Q. Did you plead guilty or were you
 8 convicted after trial?

9 A. After trial.

10 Q. Were you sentenced to prison?

11 A. Yes.

12 Q. What was your sentence?

13 A. No less than 1, no more than 10
 14 years.

15 Q. Was this a conviction in the State
 16 of West Virginia?

17 A. Yes. That was the first
 18 conviction.

19 Q. Briefly, what was the accusation?

20 A. The accusation was that I had
 21 abducted a 15-year old white girl out of the
 22 County of Nicholas, for the purposes of sexual
 23 gratification in the County of Kanawha,
 24 Charleston, West Virginia for a period of nine
 25 days.

1 Williams 147

2 Q. Where were you sentenced; in what
 3 prison did you go to?

4 A. Huttonsville.

5 Q. Correctional Center?

6 A. Yes.

7 Q. While at Huttonsville Correctional
 8 Center, did you have any medical complaints
 9 while you were there?

10 A. Constipation.

11 Q. While at Huttonsville Correctional
 12 Center, were you still taking the antiretroviral
 13 drugs?

14 A. No.

15 Q. Again, if I've asked you this I
 16 apologize. When was the last time, prior to
 17 being convicted and sent to the Huttonsville
 18 Correctional facility, prior to that, when was
 19 the last time you had taken the drugs?

20 A. I don't know. I can't exactly give
 21 you a date on that.

22 Q. You had left St. Clare's in '97,
 23 correct, in August of '97?

24 A. Yes.

25 Q. Then I guess you went to West

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1 Williams 148
 2 Virginia after that?
 3 A. Yes.
 4 Q. Were you treating with any medical
 5 doctors there that gave you prescriptions for
 6 these antiretroviral drugs?
 7 A. As I said before, when I decided
 8 not to take anymore drugs, I meant it.
 9 Q. So then--
 10 A. I got tired of being sick from
 11 medication.
 12 Q. So, after August 15, whenever that
 13 drug supply ran out, you stopped taking them and
 14 never renewed your prescriptions?
 15 A. Actually, I stopped before that
 16 supply ran out.
 17 Q. Then the symptoms all abated or
 18 stopped?
 19 A. No, not -- no.
 20 Q. When did the symptoms stop?
 21 A. For the most part--
 22 Q. I'm giving you August of '97.
 23 A. For the most part, I've had
 24 diarrhea maybe for about three months. Not
 25 daily.

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1 Williams 149
 2 Q. After you stopped taking--
 3 A. Periodically, I would have
 4 diarrhea. I was constantly nauseated.
 5 Q. On a daily basis, after stopping?
 6 A. No, not on a daily basis. I
 7 couldn't tell you how frequently it was. I
 8 really didn't take a notation of it. I did have
 9 the symptoms pretty much for about three months
 10 afterwards.
 11 Q. Symptoms meaning diarrhea?
 12 A. Yes.
 13 Q. Some nausea?
 14 A. Yes.
 15 Q. What about the abdominal pain?
 16 A. All these symptoms that I gave you
 17 earlier, I've experienced those very symptoms
 18 for about three months, but not as intense as I
 19 did when I was taking the medication. It faded
 20 itself out.
 21 Q. So that by stopping the drugs, the
 22 symptoms became less and less and ultimately you
 23 had no more symptoms after three months?
 24 A. Correct.
 25 Q. Then while at Huttonsville

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1 Williams 150
 2 Correctional, did you have any testing for HIV?
 3 A. Yes.
 4 Q. What testing did you have?
 5 A. The test for HIV.
 6 Q. The results of those tests?
 7 A. Negative.
 8 Q. Was there more than one test or
 9 just one?
 10 A. I had the initial test and then I
 11 think they gave me -- I think there was a
 12 follow-up test. I'm not sure.
 13 Q. Do you know when you found out that
 14 you were HIV negative?
 15 A. March 2004.
 16 Q. Up until that time you believed you
 17 were HIV positive?
 18 A. I believed I was getting ready to
 19 die, yes.
 20 Q. When you stopped the medication in
 21 1997, there was some seven years that you lived
 22 with this fear?
 23 A. Yes.
 24 Q. During that 7-year period, from the
 25 time you stopped taking the drugs, other than

1 Williams 151
 2 the blood test that you had at Huttonsville, did
 3 you have any other blood test in the interim?
 4 A. There were blood tests taken again
 5 when the penal system takes blood. They're not
 6 really -- they're not required to tell you what
 7 they're taking blood tests for. At least that's
 8 what they tell you.
 9 Q. What I'm trying to say is, that you
 10 left New York in 1997, so in--
 11 A. I left New York in 1998.
 12 Q. In '98, all right. So you start
 13 going to Shawnee Hills for psych problems?
 14 A. Correct.
 15 Q. And things with your son?
 16 A. Correct.
 17 Q. While at Shawnee Hills, did they
 18 administer blood tests to test for HIV?
 19 A. While at Shawnee Hills?
 20 Q. Yes.
 21 A. No.
 22 Q. Did you ever tell them at Shawnee
 23 Hills that you had been diagnosed as HIV
 24 positive?
 25 A. Yes.

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1 Williams 152
 2 Q. That's why they were treating you
 3 basically; isn't that true?
 4 A. They were treating me because I was
 5 depressed.
 6 Q. Because of the fact that you were
 7 HIV positive, or something else?
 8 A. No, because of the fact that I had
 9 to live with HIV.
 10 Q. Did you talk to them about the fact
 11 that you had discontinued your medication?
 12 A. Yes.
 13 Q. Did they say anything in regard to
 14 that, did they give you any recommendations?
 15 A. They tried to compel me to seek
 16 medical attention, to get back on my drugs. I
 17 didn't want to get back on something that's
 18 going to make me sick.
 19 Q. If it kept you alive though,
 20 wouldn't that be a better alternative than to be
 21 sick?
 22 MS. LINDSAY: Objection.
 23 It's hypothetical.
 24 Q. You stopped taking the drugs, did
 25 you not?

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1 Williams 153
 2 A. Yes, I did.
 3 Q. Then you stopped taking the drugs
 4 for almost seven years?
 5 A. I stopped taking the drugs because
 6 it made me feel like I was dying.
 7 Q. Understood. I don't--
 8 A. Why continue something when it
 9 doesn't make you feel any better.
 10 Q. Other than the fact the medical
 11 people you were dealing with were telling you
 12 that you should take it because it would prolong
 13 your life?
 14 A. Like the medical people at St.
 15 Clare's that was telling me to take it. It was
 16 making me sick.
 17 Q. Mr. Williams, at any time that you
 18 were treating at Shawnee Hills, did any of the
 19 doctors or nurses or any of the medical
 20 professionals ask you to take a blood test to
 21 confirm the fact that you had the AIDS virus?
 22 A. At Shawnee Hills?
 23 Q. Yes.
 24 A. Yes.
 25 Q. Did you take such a test?

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1 Williams 154
 2 A. No.
 3 Q. Why didn't you take such a test?
 4 A. One, I wasn't financially able to
 5 pay for testing. Like I said earlier, I was a
 6 single parent. My first concern was taking care
 7 of my child.
 8 Q. Who paid for the psych visits to
 9 Shawnee Hills?
 10 A. My mother had to pay for them,
 11 because I wasn't able to.
 12 Q. You've been in hospitals before.
 13 You know a blood test isn't like a major
 14 expense. You know that; right?
 15 A. It's not what?
 16 Q. It's not a major expense, a blood
 17 test.
 18 A. I've never paid for one. So, no, I
 19 don't know.
 20 Q. Just so I know your reason, the
 21 reason you didn't take a blood test was because
 22 you couldn't afford to pay for one?
 23 A. That was a partial reason.
 24 Q. The other reason?
 25 A. The other reason, I wasn't going to

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1 Williams 155
 2 take any medication, once you take a blood test
 3 they see your viral load and it confirms -- I
 4 wasn't about to take anymore medication that was
 5 going to have me stay in the state that I left
 6 New York in, sick.
 7 Q. So despite the doctors requesting
 8 you, you refused; is that fair?
 9 A. Again--
 10 Q. For the reasons that you gave?
 11 A. Right.
 12 Q. In terms of your general health,
 13 when you stopped taking the medication, you got
 14 better. Didn't you?
 15 In other words, you didn't have the
 16 symptoms that you were having after that initial
 17 three months of--
 18 A. Right.
 19 Q. Your general health was better, was
 20 it not?
 21 A. No.
 22 Q. It wasn't?
 23 A. No.
 24 Q. What was wrong with your health?
 25 A. I was still psychologically

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1 Williams 156
 2 damaged.
 3 Q. I'm talking about your physical
 4 health. In other words, you had been gaining
 5 weight?
 6 A. Yes.
 7 Q. You weren't getting colds?
 8 A. No, I was not.
 9 Q. You never had pneumonia or anything
 10 like that?
 11 A. No.
 12 Q. You didn't feel fatigued?
 13 A. I still had a little bit of
 14 fatigue, but that was, in part, due to probably
 15 the stress and lack of sleep, but I still felt--
 16 Q. Despite the fact that your body,
 17 your physical body, was getting better or seemed
 18 to be getting better, you still had this fear
 19 that you still had the AIDS virus and that you
 20 were going to die?
 21 A. Yes.
 22 Q. Other than the refusal to take the
 23 blood test at Shawnee Hills, did you seek any
 24 other medical treatment in 1998 regarding your
 25 condition?

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1 Williams 157
 2 A. After Shawnee Hills tried to compel
 3 me to take blood tests and to start treatment
 4 again, I lost faith in the medical profession.
 5 Because why continue to have someone take
 6 medication if it involves killing you over. So,
 7 no.
 8 Q. You didn't have any further medical
 9 treatment?
 10 A. I didn't have any further desire to
 11 deal with people in the medical profession, not
 12 unless it was absolutely necessary.
 13 Q. What kind of employment, if any,
 14 did you have from that time period in 1998 going
 15 forward, did you have a job?
 16 A. Yes.
 17 Q. What kind of job?
 18 A. I worked for a construction company
 19 out of Jane Lew, West Virginia. The name of the
 20 construction company was Clyde Hyde Construction
 21 Company. Don't quote me on it, but that's what
 22 I'm quite sure what the name was. I know his
 23 name was Clyde, and his last name is Hyde. Kind
 24 of ironic that it rhymes. He was out of Jane
 25 Lew, West Virginia. I stayed there from shortly

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1 Williams 158
 2 after I got to West Virginia until -- I can't
 3 really remember the dates.
 4 Q. Did you work for him for more than
 5 a year?
 6 A. I don't know. It didn't take long
 7 to construct a Holiday Inn Express. That's what
 8 we was constructing.
 9 Q. Six months?
 10 A. Less than that. Right after I left
 11 there--
 12 Q. Let me ask you some questions about
 13 that. What kind of work did you do for Clyde
 14 Hyde; was it physical labor?
 15 A. Actually, it wouldn't be considered
 16 physical labor, because I was doing drywall
 17 and--
 18 Q. You weren't sitting at a desk is
 19 what I meant?
 20 A. No.
 21 Q. You were using your hands to build
 22 something?
 23 A. Yes.
 24 Q. You were installing drywall,
 25 spackling and taping and painting, things like

1 Williams 159
 2 that?
 3 A. Yes.
 4 Q. Did you work consistently for him
 5 during the time period that you were there; in
 6 other words, you were able to do the job?
 7 A. Yes. Until a certain period.
 8 Until certain things came upon me, yes.
 9 Q. What things came upon you?
 10 A. Like interaction with people on a
 11 large scale. Whenever it comes down to my
 12 having to interact with other people, because of
 13 my diagnosis given to me by St. Clare's, it
 14 threw me into a tailspin. I couldn't achieve
 15 anything more, because now the issues of my
 16 being infected was a problem. I couldn't
 17 interact and eventually I had to give up my job
 18 because of that.
 19 Q. You said interaction on a large
 20 scale?
 21 A. Yes.
 22 Q. Did you have a disagreement with
 23 somebody on the job?
 24 A. No, it wasn't that.
 25 Q. With your employer?

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1 Williams 160

2 A. It wasn't that.

3 Q. Can you tell me what it was?

4 A. I'll tell you exactly what it is.

5 Living with the virus, you just can't live a
6 normal life. You know, you have to be
7 conscious, you know, if you bleed, you don't
8 want anyone to come near that blood, because if
9 they have an open wound they can become
10 infected. You can't have a normal relationship.
11 So it's just best to be abstinent, celibate.

12 Q. You said you weren't with any women
13 at that time?

14 A. I haven't been with any women from
15 the time St. Clara's gave me those results until
16 the time that I was released on August 8 of
17 2005.

Now, when I say that interaction on a
larger scale, I mean I began to get too much
attention from female counterparts, which would
cause problems. Because I know that I couldn't
function on a normal level, like other people in
a relationship.

24 Q. What does that have to do with you
25 working in a construction job?

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Williams 161

A. This was where a lot of the meetings would go on. Other guys work there, their friends come with their friends, their wives come with their friends, making inquiries about me. My giving them the cold shoulder didn't sit well, not only with the females but I was beginning to experience accusations of being gay, you know, because of my lack of association.

You have to understand. I'm in West Virginia and it's not like the city here. It was very hard for me to associate with people, knowing that I could be stigmatized because of the disease I have.

Q. Did you tell anybody at Clyde Hyde
that you were HIV positive?

A. I told no one.

Q. You said your health was getting better, you had been physically able to do the job and gain some weight. I gather you didn't look sick anymore?

A. That's not the point of looking sick.

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1 Williams
2 it, how would that affect your ability to work
3 on the job during -- I assume it was a daytime
4 job?

5 A. It was a daytime job.

6 Mr. Silverson, I don't think you're
7 familiar with construction work. I'll give you
8 a little preamble here.

9 Q. But whether I'm familiar with it or
10 not--

11 A. Because when people work some
12 construction, during breaks and during lunch
13 hour, other people are around, people like your
14 friends and stuff.

15 MR. SILVERSON: off the record.

16 (Whereupon, a discussion was held
17 off the record.)

MS. LINDSAY: Can I have the question read back, please.

(Whereupon, the prior question was

Q. If you would like to tell me,

A. Trying to work with people in a
small company like Clyde Hyde Construction.

Williams 163
you're interacting with their family members,
with their friends and wives and everything
else. When an individual is single, people in
West Virginia feel that they have to do their
little Christian duties and hook you up with
someone and things of that nature. I couldn't
go to that level. It creates a problem.

9 Q. So, was that the reason you left
10 the job, or something else?

You mentioned this large scale thing. It
must have been your opinion, that's a large
scale thing?

14 A. One thing led to another. My being
15 antisocial then, it didn't really matter whether
16 I was a single father or not. I was still
17 classified as gay. The next thing, I was a
18 racist. It just went on and on and on.

Q. I'm going to ask you a question
about racist. Were your co-workers Caucasian or
black or mixed?

22 A. I was the only African-American man
23 in the county.

Q. Was it an expressed racism towards
you or something subtle you felt?

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1 Williams 164
 2 A. It was both expressed and subtle.
 3 You know, especially when a lot of the females
 4 that my boss and his sons tried to hook me up
 5 with were their friends. They felt that I had a
 6 great disposition of their character and I
 7 should be with someone, I suppose, and my being
 8 antisocial -- in fact, I can remember a time
 9 where I literally told them I don't want to get
 10 involved with you, period. This created a
 11 problem because, you know, here they're giving
 12 me employment. Not only are they giving me
 13 employment, we eat lunch together. Now their
 14 friends are coming over. Now I stopped eating
 15 with them, I stopped socializing--

16 Q. Were you the only black man on the
 17 job?

18 A. Not only was I the only black man
 19 on the job, I was the only black man in the
 20 county.

21 Q. The social engagements that they
 22 were going to hook you up with, these must have
 23 been women from outside the county somewhere?

24 A. What?

25 Q. Some of the women that they wanted

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1 Williams 165
 2 to introduce you to, their friends, were these
 3 African-American women or white women?

4 A. No, white women.

5 Q. In terms of the -- and again, I'm
 6 not going to go into this much -- you said there
 7 was this sort of underlying racism. If they
 8 were trying to encourage you to date or to seek
 9 and have social interaction with the white
 10 women, why would that be racial in your opinion?

11 A. Because I wasn't interacting with
 12 them. The racial part was on my behalf, not
 13 theirs.

14 Q. Obviously, if the white women had
 15 no problems with dating a man of another race or
 16 color, how would that be antisocial or racist in
 17 any way?

18 MS. LINDSAY: I think you're--

19 MR. GELLER: I think you're
 20 mischaracterizing his testimony. Give
 21 him a chance to explain.

22 Q. Please, explain.

23 A. The thing of it is, since I didn't
 24 want to socialize with them, I was the one who
 25 was considered the racist.

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1 Williams 166
 2 Q. I see.

3 A. Not them.

4 Q. That you didn't want to date other
 5 than someone of your own race?

6 A. That wasn't the issue. Had I
 7 wasn't--

8 Q. In fear of this?

9 A. Right, you know.

10 Q. You left Clyde Hyde; right?

11 A. Yes.

12 Q. This is in what time period; this
 13 is in '99 sometime?

14 A. This is '98.

15 Q. What was your next job after that?

16 A. L & J Construction.

17 MR. SILVERSON: Just so we don't
 18 have to go through this, have we
 19 requested--

20 MR. GELLER: You've requested the
 21 records--

22 MR. SILVERSON: --for L & J, all
 23 these companies that he's mentioned?

24 MR. GELLER: Yes.

25 A. Yes.

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1 Williams 167
 2 Q. So L & J was what type of work and
 3 where was it?

4 A. L & J Construction was based in
 5 Charleston, West Virginia.

6 Q. Charleston is a good distance away
 7 from Jane Lew?

8 A. Yes. Jane Lew. Of course, Jane is
 9 J-A-N-E. Lew is L-E-W.

10 Q. What type of work did you do for
 11 L & J?

12 A. They hired me to do a foundation
 13 with rebar. Since that particular duty required
 14 very little manpower and it didn't take long,
 15 they gave me other duties, such as plastering
 16 and drywall.

17 Q. They paid you by check each week?

18 A. L & J?

19 Q. Yes.

20 A. 40 hours, by check. Yes. Anything
 21 over was--

22 Q. How long did you work for them,
 23 roughly, in terms of time, into 1999?

24 A. Into and towards the end of '99,
 25 yes.

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1 Williams 168

2 Q. So that was a little bit longer of
3 employment than you had with Clyde Hyde?

4 A. Actually, I would say L & J -- I
5 started at L & J just before Christmas of '98.
6 I worked there until midsummer of '99.

7 While I was employed at L & J, I took on
8 a second job at Fifth Quarter Restaurant.

9 Q. That's sounds like a place you go
10 after a football game?

11 A. No. Fifth Quarter was prime rib
12 and lobster. West Virginians consider that a
13 five-star restaurant.

14 MR. SILVERSON: Off the record.

15 (Whereupon, a discussion was held
16 off the record.)

17 Q. What did you do there?

18 A. I was a cook. So I worked
19 construction in the daytime, then I cooked at
20 night.

21 Q. How many days a week did you work
22 as a cook, weekends?

23 A. I worked full-time there.

24 Q. How long did you work at Fifth
25 Quarter?

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1 Williams 169

2 A. I worked at Fifth Quarter until
3 interaction with the waitresses became a
4 problem.

5 Q. When you say interaction -- you've
6 used that a couple of times, what do you mean by
7 interaction?

8 A. Anytime people are ready to
9 socialize with me on another level that can lead
10 to intimacy, I have to back off. I know what
11 it's like for someone to tell you, look, you
12 have AIDS, I mean HIV that can lead to AIDS.

13 To get involved with a relationship,
14 knowing that that person can contract that very
15 disease, that would be very insensitive. I
16 mean, that would be something so low. So, in
17 order to protect that person, you know, without
18 having to reveal my medical status, I just have
19 to back off.

20 In doing that, by not socializing with
21 these people, not interacting with these people,
22 you know, again, a stigma is placed upon me.
23 I'm anti-social, gay, or anything that they
24 would assume would be the problem, for me not
25 interacting with them. My life was -- the full

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1 Williams 170

2 course that I could have led my life was
3 hindered because of the diagnosis that I was
4 given while in New York.

5 Q. Did you have any concern while
6 being a cook for a restaurant, that because you
7 were HIV positive that you could cause infection
8 to other persons?

9 A. How?

10 Q. I'm asking you.

11 A. I didn't have no concerns at all
12 about that.

13 Q. Did you tell anyone at the Fifth
14 Quarter that you had been diagnosed HIV
15 positive?

16 A. No, I did not.

17 Q. How many months did you work for
18 them, roughly, if you know?

19 A. Several. Exact, I don't know.

20 Q. Why did you leave?

21 Is it because of this that you wanted to
22 leave or did they ask you to leave?

23 A. Oh, no. I don't recall being
24 terminated from any employment in West Virginia.

25 Q. You left voluntarily from Fifth

1 Williams 171

2 Quarter. The L & J job ended because it ended;
3 right?

4 A. No. L & J job ended because of
5 the -- L & J had a construction site right next
6 to a hospital. The hospital was in front and
7 actually Shawnee Hills where I was going, was
8 right behind them. The nurses used to come over
9 and have lunches on some picnic benches. And
10 again, I was somewhat a popular individual.

11 Q. Popular?

12 A. I was very popular for some of the
13 female staff there and by me not wanting to
14 socialize, the pressure on the construction job
15 became unbearable, you know.

16 Q. This was due to the nurses having
17 lunch on a bench near the construction site?

18 A. Yes, because, you know, they would
19 make inquiries about me. When the other guys
20 might show an interest in them, they showed an
21 interest in me. I'm not showing no interest in
22 them. I just want to get a job done, get my
23 paycheck, go home, and sulk or whatever, but--

24 Q. It's very possible -- would you
25 agree, it's possible that maybe they could have

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1 Williams 172
 2 considered that you were married or had a
 3 girlfriend and not interested in them for that
 4 reason?
 5 A. I'm absolutely sure everyone knew I
 6 wasn't married.
 7 Q. How do you know that?
 8 A. For one, the guys on the job knew.
 9 They, like women, they gossip. No offense, they
 10 gossip. They just put your information out
 11 there. What you don't want -- what you don't
 12 want known, you just don't say it.
 13 Q. Did they know you had a ten-year
 14 old son?
 15 A. He used to come to my job site on
 16 days when he had half a day of school. On days
 17 when he had no school, because West Virginia
 18 have a lot of days where kids are just out of
 19 school and Andre was going to a Catholic school
 20 at the time, St. Anthony's. And he would come
 21 over to my job. And, yes, people knew that I
 22 was a single parent. And they knew that I was
 23 single. In fact, I remember times when Andre
 24 was already posed that question, is that your
 25 father? Yes, that's my dad. Does he have a

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1 Williams 173
 2 girlfriend, no.
 3 Q. They would ask that of your son?
 4 A. They would ask that of my son.
 5 Q. Your son was living with his mother
 6 at that time?
 7 A. No.
 8 Q. With someone else?
 9 A. With me.
 10 In the beginning, when he first came to
 11 West Virginia -- when I went to Newport News to
 12 get him, he was going to school in Richwood,
 13 West Virginia.
 14 Q. Newport News, isn't that in
 15 Virginia?
 16 A. That's in Virginia.
 17 Q. That's where he was living?
 18 A. With his mother.
 19 He was going to school in Richwood, West
 20 Virginia. When the problem of my mental
 21 problems got, you know, as bad as it did--
 22 Q. This was in '98?
 23 A. Right. He was going to school in
 24 Richwood. He began to exhibit problems from the
 25 pressure that I was on from the diagnosis that I

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1 Williams 174
 2 was given at St. Clare's. So he had to
 3 eventually leave school in Richwood and I
 4 brought him to Charleston with me. He was
 5 enrolled in St. Anthony's Catholic School until
 6 I went to prison.
 7 Q. Then he went back?
 8 A. To Newport News.
 9 Q. After you left Fifth Quarter and
 10 the job ended at L & J, where did you go next?
 11 This is midsummer of '99 and I think
 12 you--
 13 A. I quit L & J and I went to TNS
 14 Telecommunications. TNS stands for Taylor
 15 Nielsen, Sofris, S-O-F-R-I-E-S.
 16 Q. What type of business is that?
 17 A. Telecommunications.
 18 Q. What did you do for them?
 19 A. I took surveys regarding politics,
 20 sports, new products on the market.
 21 Q. Was this on the telephone?
 22 A. Telemarketing.
 23 Q. How long did that job last or how
 24 long did you stay there?
 25 A. This was one of the jobs where I

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1 Williams 175
 2 worked around a lot of females. So there has
 3 been times that I've taken off days at a time to
 4 regroup. But I worked there. I stayed there
 5 for -- say, I got sentenced about February of
 6 2000.
 7 But there were times when I didn't go to
 8 work and I would go to work at another place
 9 called Ready Labor. Ready Labor was more
 10 conducive to my situation, because I was always
 11 out working in remote areas.
 12 Q. Just so I'm clear, the
 13 telecommunications job, this wasn't out of your
 14 home, it was a location, a business location?
 15 A. Yes, it was. It was in the heart
 16 of Charleston, West Virginia.
 17 Q. It was an office?
 18 A. Yes.
 19 Q. Did you have cubicles where you
 20 would make your calls from?
 21 A. Yes.
 22 Q. You said, if I'm understanding you
 23 correctly, that you had this interaction problem
 24 again with females at the job?
 25 A. Yes.

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1 Williams 17

2 Q. Them wanting to date and you didn't

3 want to?

4 A. It's not that I didn't want to. I

5 really wanted to, but I couldn't.

6 Q. You felt because of the HIV

7 positive situation, you didn't want to get

8 involved or have a social interaction or a

9 physical interaction with any of the females?

10 A. That is correct.

11 Q. That caused you to leave the job

12 from time to time, as you call it to regroup?

13 A. Yes.

14 Q. When you say regroup, did you seek

15 medical attention or psychological counseling?

16 A. No.

17 Q. Other than the time that I was

18 going to Shawnee Hills. There was a time that I

19 did go to Shawnee Hills and no one was there to

20 see me, but I think it was probably because my

21 mom didn't pay the medical bill or something,

22 that it went delinquent or something to that

23 effect. Then they had referred me to call

24 Alliance, a place which I never went. This was

25 while I was at TNS.

Williams

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Q. The Shawnee Hills experience that you had, where they wanted you to take the blood test and you refused to take it. After that, you did go back to them from time to time to get counseling?

A. I needed it, yes.

Q. Did they ask you to take the blood test again?

A. No.

Q. Did you take any blood test in the year 1999 at all?

A. No.

Q. In terms of your physical health, was that staying pretty stable at that point, in the year 1999?

In other words, you weren't getting frequent infections, you weren't sick with a cold or flu-like symptoms or anything of that nature, missing a lot of time from work because of illness?

A. Repeat that.

MR. SIEVERSON: Could you read that back.

(Whereupon, the prior question was

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Williams

read back by the reporter.)

A. Did I miss a lot of times because of illness?

MR. GELLER: Off the record.

(Whereupon, a short recess was taken.)

MR. SILVERSON: Read the question back.

(Whereupon, the prior question was read back by the reporter.)

A. No, I was not missing a lot of times because of illness.

Q. When did you leave Taylor, Nielsen & Sofsries?

A. I said earlier that it was in February of 2000, but it wasn't 2000, it was in '99. But it wasn't -- it was in '99. Because I recall, after I started working with Ready Labor. That was the place where I focused my employment at.

Q. What did you do for Ready Labor?

A. Labor.

Q. Construction jobs or something else?

1 Williams
2 A. Whatever was required. It was
3 always physical labor.
4 Q. Was it a full-time job?
5 A. It could have been. But I didn't
6 work full-time.
7 Q. When you say not full-time, what do
8 you mean; how many hours a week did you work for
9 Ready Labor?
10 A. 24 sometimes. Maybe 32.
11 Q. Was your job at one location, or
12 did you go to job sites to do this work or
13 something else?
14 A. Various locations.
15 Q. On this particular job, did you
16 have any trouble with the job or did you leave
17 of your own accord?
18 A. No. I don't understand your
19 question.
20 Q. How long did you work for Ready
21 Labor; you said you started in '99, sometime?
22 A. I started sometime towards the end
23 of '99.
24 Q. How long did you work for them?
25 A. Just before the time I went to

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1 Williams 180
 2 prison.
 3 Q. Which was?
 4 A. In March.
 5 Q. March of 2000?
 6 A. Yes.
 7 Q. That was the reason for leaving the
 8 job, I assume?
 9 A. Yes.
 10 Q. Prior to going to prison -- I
 11 assume you were indicted and had a trial
 12 somewhere between late '99 and March of 2000?
 13 A. My trial was when?
 14 Q. If you went to prison in the year
 15 2000, March of 2000 -- by the way, are you sure
 16 about that?
 17 A. Yes.
 18 Q. You're sure it wasn't 2001?
 19 A. In 2001 I was already in prison for
 20 a year or better.
 21 Q. I'm just referring to my records,
 22 it seems to have something different.
 23 During the course of time between the
 24 time you left Ready Labor and went to prison,
 25 were you under the care of any doctor?

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1 Williams 181
 2 A. No.
 3 Q. Would it be fair to say Mr.
 4 Williams, that other than the Shawnee Hills
 5 Center or facility and your some treatments that
 6 you had there, that you never treated with
 7 another physician up until the time of your
 8 incarceration?
 9 A. You are losing me.
 10 Q. From October of '98 when you went
 11 to Shawnee Hills, you had some consultations and
 12 this thing about the blood test. After that, up
 13 until the time you went to prison in March of
 14 2000, you never saw a doctor for any major
 15 medical condition or--
 16 MS. LINDSAY: Objection to form.
 17 Q. Did you see a doctor at all from
 18 the dates of October 1998 to March of 2000,
 19 other than doctors at Shawnee Hills?
 20 A. No.
 21 Q. Did you take any prescribed
 22 medication other than that which might have been
 23 prescribed for you at Shawnee Hills between 1998
 24 and 2000?
 25 A. No.

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1 Williams 182
 2 Q. Would you say that your physical
 3 health, I'm not talking about your emotional
 4 state, but your physical health from October of
 5 '98 to March of 2000 was generally good?
 6 A. Generally good.
 7 Q. When you went to Buttonville
 8 Correctional Center in 2000, did they do an
 9 intake medical examination?
 10 A. All facilities take an intake
 11 examination.
 12 Q. Is a blood test part of that
 13 examination; urine test, blood test?
 14 A. I know they took a urinalysis.
 15 Yes.
 16 Q. How about a blood test?
 17 A. I don't recall a blood test, no.
 18 Q. Did you tell the people at the
 19 intake, I assume you talked to somebody about
 20 your medical history, medical problems, since
 21 you were going to be incarcerated for a period
 22 of time; did you tell them about the fact that
 23 you had been diagnosed with HIV positive?
 24 A. No.
 25 Q. Is there a reason that you didn't

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1 Williams 183
 2 tell them that you had been diagnosed HIV
 3 positive?
 4 A. Yes.
 5 Q. What's the reason?
 6 A. This is lengthy.
 7 Q. It's your examination. Whatever
 8 you want.
 9 A. You don't tell people, just
 10 anybody, your medical condition, because it
 11 doesn't stay in the confidence of just them. It
 12 gets around the whole facility. And fortunately
 13 for me I was apprised of this dysfunctional
 14 professionalism about the institution before I
 15 got there. So I knew best to just keep my mouth
 16 shut. However, it didn't help, because it was
 17 already out that I had been HIV positive or was
 18 HIV positive.
 19 Q. When you say it was already out, I
 20 don't follow you. Out in the prison already?
 21 A. Yes.
 22 Q. If you didn't tell anybody and you
 23 didn't tell them, how would they know?
 24 A. Nicholas County Circuit Court.
 25 Q. It's the name of a courthouse. Was

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1 Williams 184
 2 that where you were tried?
 3 A. That where was I had my first 14
 4 trial, yes.
 5 Q. There was more than one trial?
 6 A. Yes.
 7 Q. Regarding the same case?
 8 A. Yes.
 9 Q. One trial there was a hung jury and
 10 you had to be retried?
 11 A. No. First trial was for the
 12 abduction. And the second trial was for third
 13 degree sexual assault.
 14 Q. During the course of that trial,
 15 did it come out that you were HIV positive?
 16 A. In the course of that trial, I
 17 tried to put forth to the Court that it was
 18 impossible for me to have had any intimate
 19 relations with this 16 year old Caucasian girl
 20 for the numerous times that she has alleged.
 21 And to prove this, I asked the court to give
 22 this -- to allow an order to take a blood test.
 23 The prosecution stated that it's
 24 irrelevant, because it takes several years for
 25 antibodies to be shown in the blood of an

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1 Williams 185
 2 alleged victim and that since the jury of
 3 Nicholas County had already came back of verdict
 4 of guilty, that the court should go ahead and
 5 impose sentence.
 6 When the court imposed sentence, they
 7 made sure that they put on top of the folder
 8 that Mr. Jimmie Meccya Williams is to be handled
 9 with caution, double latex gloves. This
 10 information was forwarded to the prison even
 11 before I got there. Which meant that a large
 12 portion of the inmate population knew of me
 13 before I even got there.
 14 Q. Did you testify in the trial?
 15 A. Which one?
 16 Q. The first trial, the abduction.
 17 A. No.
 18 Q. Did you testify at the second
 19 trial?
 20 A. I represented myself.
 21 Q. Did you testify?
 22 A. Absolutely not.
 23 Q. Was there any evidence at either
 24 trial put forward to show that you were HIV
 25 positive, either by the prosecution or the

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1 Williams 186
 2 defense?
 3 A. I don't understand that.
 4 Q. Was there medical evidence offered
 5 at either trial, to show that you were HIV
 6 positive?
 7 A. The only evidence that I presented
 8 to the court was at my sentencing hearing in the
 9 first trial. And that was the buried paperwork
 10 that I got from St. Clare's Hospital and Health
 11 Center. Though sent me my medical records, what
 12 they considered to be my medical records at the
 13 time.
 14 Q. Such as what we have here today,
 15 the hospital record?
 16 A. It wasn't quite as--
 17 Q. There was something that came from
 18 St. Clare's?
 19 A. Yes.
 20 Q. At or before your sentencing?
 21 A. No, before the sentencing.
 22 Q. So the judge or whoever, the
 23 probation department could take a look at--
 24 A. I purposely had it for the judge to
 25 look at.

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1 Williams 187
 2 Q. The reason being that it showed
 3 that you were with HIV positive.
 4 A. I could not have had--
 5 Q. If you had relations with the girl
 6 it would have shown positive on her, that was
 7 your argument?
 8 A. Yes. Because it was alleged that
 9 we have been involved 3 -- 4 to 5 times a day.
 10 4 to 5 times makes 35 to 45 times.
 11 Q. What's Nicholas County, West
 12 Virginia?
 13 A. Yes.
 14 Q. That would be people against?
 15 A. No, not the people. The state of
 16 West Virginia versus Jimmie Meccya Williams.
 17 Q. So that when you got to
 18 Huttonsville you're claiming that they already
 19 knew that you were HIV positive?
 20 A. A large portion of the population,
 21 yes.
 22 Q. Yet, you never told anyone at the
 23 intake that you were?
 24 A. Never.
 25 Q. Despite the fact that it was double

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Williams

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gloved stamped on your file?

A. Yes.

Q. Did anyone ask you about the reason that it was stamped, either a doctor or any of the nurses there?

A. No.

Q. Did you give them any medical history about your past medical conditions at all?

A. Several years later, yes.

Q. In 2000 you did not?

A. 2001, 2002, 2003 and first brief part of 2004 I never told anyone anything. I never gave them any documentation of anything.

Q. By the way, did you, by virtue of your conviction and the fact that you were going to offer that you wanted the woman to take a blood test, that you in fact admitted having sexual relations with the person?

A. Excuse me?

Q. At your trial, in Nicholas County, by virtue of the fact that you wanted the judge to consider giving the victim of this crime a blood test, you were admitting that you had

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sexual relations?

A. No, I was not admitting.

MR. GELLER: Objection to form.

Is that a question or a statement?

MR. SILVERSON: I thought it was question.

MR. GELLER: Could you read it back.

(Whereupon, the prior question was read back by the reporter.)

MR. GELLER: It was a question.

If you understand the question you can answer.

A. I absolutely did not.

Q. Did you also not tell the people at Huttonsville Correctional Center that you had no prior drug use history or mental treatment?

A. Yes.

Q. What was the reason for not telling them about your I.V. drug use with heroin and your various depression problems over the years, since they were asking about it?

A. I didn't need those type of rehabilitative courses. Every thing you tell

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Williams

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them that you have an issue with on the outside world is an extra class that you have to take. I wasn't interested in taking any classes. So, no, I did not have any problems for the last 20 years.

Q. You really weren't telling them the truth, were you?

A. No, I was not. I was intentionally deceiving them, because I didn't want to go through their rehabilitative classes. In fact, I felt I wasn't supposed to be there.

Q. The other question I have for you Mr. Williams is that, you indicated that you were living with this fear of dying of AIDS and all the things that go with that, not having interaction with females, basically isolating yourself from people.

During the time you were at Huttonsville Correctional Center, did you need the services of a psychologist to help you with this depression or had your depression gone away at that point?

MR. GELLER: Object to the form.
Those aren't mutually exclusive.

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Williams

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Q. Other than being in jail, were you depressed as a result of the HIV situation at Buttonsville Correctional Center?

A. Periodically.

Q. Were you depressed to the extent that you needed to seek medical attention for it?

A. That needs to be elaborated.

Again, certain times you just can't reveal, certain things about yourself, because it will be used against you.

No, I did not tell anyone. If I needed some psychiatric evaluation or consultation, I couldn't get it. I mean it was just not conducive for me to do that.

Q. You hadn't been at Buttonsville Correctional Center before this had you?

A. No.

Q. You are aware that they offered mental health consultation, whether it would be with a psychiatrist or a psychologist, to those persons that were in need of it, were you not; you were aware that those services were available to you at the prison?

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1 Williams 192
 2 A. I've been there for quite some
 3 years. I've been there for quite some years,
 4 what they considered help, I don't.
 5 Q. Aren't you substituting your
 6 judgment against a medical doctor?
 7 A. I'm giving you the facts that I see
 8 that other people have gone through. Facts.
 9 You do not get the type of medical attention
 10 that they say you would get when you're
 11 sentenced. No, you don't get it.
 12 Q. If you are depressed and that you
 13 do seek help, to help your depression, you could
 14 have taken advantage of having some type of
 15 drugs to help you through the depression such as
 16 some type of antidepressant drug, you could be
 17 given that while you were in prison, so you
 18 wouldn't be as depressed as a result of the HIV
 19 virus.

20 MS. LINDSAY: Objection.

21 MR. GELLER: Objection.

22 Q. Mr. Williams, what I'm trying to
 23 ask you is, you had the opportunity while at
 24 Huttonsville to seek out mental health
 25 counseling and you didn't do that; correct?

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1 Williams 193
 2 A. Did I have an opportunity -- see I
 3 would say, did I have a fair opportunity. There
 4 is always an opportunity for anything, but was
 5 it a fair opportunity. No, it was not a fair
 6 opportunity. The opportunity was there, yes.
 7 Q. Had you taken advantage of that
 8 opportunity, could you have gotten some type of
 9 medication to help you with your depression?
 10 A. I can't answer that.
 11 Q. Because you didn't do that, right?
 12 A. Not only didn't I do that, but if I
 13 did do that I don't know if they would give me
 14 the type of medical treatment that I needed.
 15 Q. I guess we're running in circles,
 16 you wouldn't know that unless you tried. Was
 17 there any reason not to try that?
 18 A. Yes.
 19 Q. The reason was?
 20 A. Many other inmates -- out of 968
 21 inmates 300 of them needed psychiatric help and
 22 didn't get it.
 23 Most of the people that needed
 24 psychiatric help ended up in what they call
 25 segregation. I'm not trying to live my sentence

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1 Williams 194
 2 in segregation. If you call that assistance,
 3 then you can call it assistance, but I don't
 4 call it assistance.
 5 Q. Did anyone ask you while at
 6 Huttonsville Correctional Center to take a blood
 7 test?
 8 A. I was ordered by the court.
 9 Q. To take a blood test at
 10 Huttonsville?
 11 A. While in receiving.
 12 Q. While at Huttonsville?
 13 A. Yes. While in receiving.
 14 Q. I'm not sure what receiving is?
 15 A. It's when you go into -- when
 16 you're initially go into jail. Do you remember
 17 earlier we talked about lockdown.
 18 Q. Yes.
 19 A. That's considered receiving.
 20 Q. So this way they were evaluating
 21 you to determine where to send you to do your
 22 sentence?
 23 A. Right.
 24 Q. This was probably in the early part
 25 of 2000 sometime; right?

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1 Williams 195
 2 A. I guess. I can't remember, but I
 3 remember being ordered.
 4 Q. The court ordered you to take a
 5 blood test. Did you refuse?
 6 A. No, you can't.
 7 Q. You can't refuse?
 8 A. No.
 9 Q. The blood test was given to you?
 10 A. They took blood.
 11 Q. Do you know if part of that blood
 12 testing was to determine whether you had the HIV
 13 virus?
 14 A. No, they couldn't do that.
 15 The blood that was taken from you is to
 16 be in a DNA databank.
 17 Q. Other than that, was there any
 18 medical request while at Huttonsville to take
 19 your blood, other than to DNA type you?
 20 A. No.
 21 Q. At any time during your sentence at
 22 Huttonsville Correctional Center did you seek
 23 the services of either a psychologist or a
 24 psychiatrist or any of the programs they had for
 25 psychological counseling?

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1 Williams
2 A. Can you repeat that.
3 MR. SILVERSON: Could you read that
4 back.
5 (Whereupon, the prior question was
6 read back by the reporter.)
7 A. Yes.
8 Q. When was that?
9 A. I couldn't recall, but it was
10 within the time frame that I was there. Which
11 is why I didn't pursue it.
12 I did not pursue it for the simple fact
13 of what I said to you earlier. You know you
14 start giving these people--
15 Q. These people, meaning corrections?
16 A. Yes. You start giving them
17 information about your having mental problems
18 and psychological problems, you become
19 segregated. And, I did not want to endure any
20 part of my sentence under segregation.
21 Q. So that your answer was yes, you
22 started out, but you didn't seek it out?
23 A. Yes, I made--
24 Q. You made an attempt to do it and
25 you didn't follow through?

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Williams

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2 A. I didn't follow through.

3 Q. It was your fear that you would be
4 segregated or the information would be--

5 A. I would be segregated or would be
6 moved to Quilliams, Quilliams 3, which is in a
7 maximum security prison at Mount Olive. It's
8 called AGSAG (phonetic). Those initials stand
9 for Administrative Segregation, AGSAG.

10 Q. Have you also been known by the name
11 of Jimmie Glover?

12 A. Yes.

13 Q. Was that another name that you've
14 used in your life?

15 A. No. Yes it was another name that I
16 used in my life, but that was a name that in my
17 childhood I was led to believe was my name.

18 Q. Did you use the name Jimmie Glover
19 as an adult?

20 A. I can't remember. I can't recall.

21 Q. So, you didn't take advantage of
22 this. Did there come a time when they
23 transferred you from Huttonsville to someplace
24 called Southern Regional Jail, Prime Care
25 Medical?

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Williams

A. Hump?

Q. Did there come a time while you were serving your sentence at Huttonsville that you were transferred to another jail called Southern Regional Jail?

A. No.

MR. GELLER: Can we take a break.
(Whereupon, a short recess was taken.)

Q. Do you want to explain to me--

A. Sure. Southern Regional Jail was years later. Southern Regional jail was actually this year. Huttonsville didn't transfer me. This was the only time I violated. I was on parole. I got on parole on August of 2003. I violated it in February of this year of 2006. I was at Southern Regional Jail.

Q. During the time you were at Huttonsville you weren't hospitalized in their facility for any illness of any kind?

A. During my incarceration.

Q. Other than something minor?

A. During my whole bit, yes I was hospitalized, once.

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1 Williams
2 Q. What was that for?
3 A. They said I fainted.
4 Q. Had you lost consciousness at some
5 point?
6 A. I woke up in the clinic. They kept
7 me there for about a week.
8 Q. The diagnosis was?
9 A. I don't know, because they don't
10 tell you.
11 Q. Did you get any medications at all
12 while you were there?
13 A. No. Excuse me, I don't recall.
14 Q. Did you ever have any problem with
15 your liver at all during the time you were at
16 Huttonsville Correctional Center?
17 A. No.
18 Q. You're sure of that?
19 A. Absolutely.
20 Q. Did there come a time at
21 Huttonsville Correctional that you received a
22 blood test?
23 A. What?
24 Q. Did there come a time at
25 Huttonsville Correctional Center that you

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Williams

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underwent a voluntary HIV test?

A. Yes.

Q. Was that in April of 2004?

A. On or about.

Q. You were still having to serve out
your sentence was that right, during that time?

A. Yes.

Q. Why had you changed your mind about
having a blood test in the prison during that
time?

A. I don't understand.

Q. This was a voluntary HIV test, was
it not?

A. Yes.

Q. It wasn't court ordered?

A. No.

Q. It wasn't a doctor trying to do it?

A. Right.

Q. You volunteered?

A. Yes.

Q. Why did you volunteer?

A. During the course of my
incarceration I lived on a unit with 44 to 53
individuals. I was very germaphobic, because I

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Williams

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didn't want to get sick. I was very conscious of filth, because I didn't want to catch any bacteria -- any germs and bacteria.

So I was very conscious. And during the course of my stay on that unit, everybody got sick. Everybody got colds, pneumonia, staph infections.

Q. How about you?

A. I didn't.

Q. Why the blood test?

A. Because I needed to know why is everybody getting sick. This what I posed to the doctor, Dr. Proctor.

I went to the clinic and I asked him why was -- how come everyone is getting sick and not me. I asked him something to the effect, I said, doc, everybody is getting sick but me and I'm supposed to be the main one getting sick. He said, like why, because I'm HIV positive. Oh no, you are not HIV positive.

I went to explain some of the medication that I was given and when I mentioned the cocktail that was given to me, you know it fully alerted him and nurse that was on duty. He

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1 Williams
2 immediately summoned a test. When he ordered
3 the test he called me back up. He was like, I
4 knew it, you are not HIV positive. So I go to
5 the records, the very records that I saw at
6 Nicholas County Court. I looked through the
7 records. That's when he said, somebody made a
8 grave error.

9 Q. Who was this doctor?
10 A. Dr. Proctor.
11 Q. Do you know a first name?
12 A. No.
13 Q. Just so I understand this clearly,
14 you want to voluntarily, he didn't--
15 A. Because everybody was getting sick
16 but me. If anybody should get sick it should be
17 me. I'm the one that's HIV positive.
18 Q. Why would that impel you to go
19 forward and have a test if you were safe and you
20 weren't sick?
21 A. I wasn't safe. I wasn't --
22 although I wasn't sick, I wasn't safe.
23 Q. Let me ask you this Mr. Williams.
24 This is four years after you were incarcerated.
25 The rest of the unit -- were you in that same

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Williams

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unit all these years or was there another unit you were in?

A. Not only was I in that unit, but I controlled this unit.

Q. What does that mean?

A. If I didn't like you sleeping next to me, you got to move.

If I didn't like the way you carry yourself, if you were a filthy individual you got to move.

Q. Was this a dormitory setup or did you have individual cells?

A. It was a dormitory setup, but I controlled the joint. And like I said, you had people that come in, they were filthy, they were like savages, they had to go to another unit. Because I'm not going to get sick, because of your filth. I'm not going to get sick because of your salacious practices. If you're going to do that, take it to another unit.

Q. When you say you controlled, did you have a hierarchy of people -- did you sort of unofficially have leadership there or did

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1 Williams 204
 2 the man and that's it?
 3 A. No. Actually I was officially,
 4 officially -- I mean officially not only through
 5 the administration by warden William Haynes
 6 himself, I was on the inmate committee. I was
 7 the dorm representative. So, yes, whatever I
 8 said it goes. I didn't want no one next to me
 9 who was sick.

10 Q. That unit that you were in, did it
 11 have a name or a designation; did it have a
 12 block number?

13 A. A.

14 Q. It was called unit A?

15 A. It's been so long I forgot. Dorm
 16 3.

17 Q. You were in Dorm 3 from once you
 18 were assessed, you remained in Dorm 3 until you
 19 were let out?

20 A. I was in Dorm 3 during my entire
 21 bit at Buttonville.

22 Q. After a period of I guess it would
 23 be about four years, you reached the point where
 24 you felt there was such filth and contamination
 25 that you needed to go and get a test?

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1 Williams 205
 2 A. No, that wasn't it.
 3 Q. Am I characterizing it improperly?
 4 A. Yes.
 5 Q. What I'm trying to say is, if
 6 you got in there in the beginning, after year
 7 number one, was the place clean?
 8 A. No, not really.
 9 Q. Did it get worse in year number
 10 two?
 11 A. It stayed about the same.
 12 Q. People were getting sick during
 13 years one and two?
 14 A. Yes.
 15 Q. Yet, you didn't go to the doctor,
 16 did you?
 17 A. Actually I didn't take notice then.
 18 Q. You said you were germaphobic?
 19 A. Yes.
 20 Q. Did that just occur in 2004 or had
 21 you always been that way?
 22 A. No, it occurred -- actually my
 23 being germaphobic occurred after the assessment
 24 of St. Clare's Hospital.
 25 Q. So when you went into the prison in

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1 Williams 206
 2 2000, you had this fear of getting the germs and
 3 getting sick, because you believed you were HIV
 4 positive. Yet, even though the conditions were
 5 less than optimum or less than you liked, you
 6 put up with it for four years?

7 A. Actually--

8 Q. Do you see my point?

9 A. No, I don't.

10 Because you are not really trying to see
 11 the picture that I'm trying to paint here. When
 12 I said that I had actually controlled the unit,
 13 I mean, I actually controlled the unit. If I
 14 needed disinfectants, I'd get it. If I needed
 15 anything in order to satisfy my desires, my
 16 needs, the counselors would get it for me.

17 MR. GELLER: I'd like to take a
 18 break.

19 (Whereupon, a short recess was
 20 taken.)

21 MR. SILVERSON: Repeat the last
 22 question and answer, please.

23 Q. So, there came a time in 2004 that
 24 you went to this Dr. Proctor and you had a test,
 25 and found that you were not HIV positive?

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1 Williams 207
 2 A. Right, because for four years the
 3 number of people that came on Dorm 3 were
 4 contracting staph infections, the flu,
 5 pneumonia, cold, numerous things. And I didn't
 6 contract any of this.
 7 Q. That's a good thing wasn't it?
 8 A. Yes, it is a good thing, but it's
 9 not real good when you watch everybody get sick
 10 and you're being germ phobic, you're being very
 11 cautious and everyone around you is getting sick
 12 but you're the one -- I'm the one who has an
 13 immune deficiency.
 14 Since I have an immune deficiency and I
 15 am susceptible to contracting just about
 16 anything at any given time, then if anyone is to
 17 get sick, it should be me. Not everybody who
 18 goes out there and lifts 300 pounds a day, day
 19 in and day out, jogging in the winter. I should
 20 be the one that's getting sick, but I'm the one
 21 that is remaining most healthy.
 22 Q. Like I said, it's a good thing is
 23 it not?
 24 A. In the end, yes.
 25 Q. Let's just go year by year. The

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1 Williams 208
 2 first year when you said that the conditions
 3 weren't very nice, they weren't good, it was
 4 filthy. You wanted disinfectant, you wanted to
 5 keep germ free. Wouldn't it have made sense to
 6 tell somebody that you were HIV positive?

7 A. No.

8 Q. Before that, so that they could
 9 protect you against getting infections?

10 A. No.

11 Q. Why?

12 A. The reason why is, because I was
 13 already stigmatized for being HIV positive.

14 Q. They thought you were any way
 15 because of the -- most inmates thought you were?

16 A. And they used the term Ninja to say
 17 that I was HIV positive. Why the term, I don't
 18 know.

19 Q. Is that a prison term meaning AIDS,
 20 or HIV positive?

21 A. Yes.

22 Q. Minjas are supposed to be deadly,
 23 may be that was the reference?

24 A. Yes.

25 Since that I've endured those accusations

1 Williams 209
 2 and stuff like that, I had to just protect
 3 myself, you know, from the environment. I had
 4 to make sure that I didn't get sick.

5 Q. Wouldn't it have made sense at the
 6 time to tell people in the administration, since
 7 you were active in -- as you say, you were on
 8 the committee, because you were HIV positive,
 9 that the conditions were not optimal for you to
 10 be living in that kind of the condition, because
 11 of the risk of infection?

12 A. The committee wasn't formed until
 13 late 2003, early 2004.

14 Q. Did you tell anybody than that you
 15 were HIV positive?

16 A. I spoke with an officer. His name
 17 was Angel, and I asked him. I told him one day,
 18 you know have you ever heard anything about --
 19 read anything in my file. He was like, no, not
 20 particularly. And he was like, why. And I had
 21 told Angel, you know that my immune system has
 22 been compromised and that if anybody should be
 23 getting sick it should be me. But at this
 24 particular time everybody was getting staph
 25 infections.

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1 Williams 210
 2 Q. Not you?
 3 A. Not me. I mean people were going
 4 to quarantine and things of that nature and not
 5 me.

6 Q. Weren't you happy about that, that
 7 you weren't getting sick?

8 A. Of course I'm happy about it, but
 9 the thing of it is, my immuned system was
 10 compromised and I'm not getting sick, you know,
 11 I need to know why. So it took me four years to
 12 realize this and I finally decided, you know, I
 13 want to find out what's going on. I want to
 14 take a test.

15 Q. That's when you found out that you
 16 weren't HIV positive?

17 A. That's correct.

18 Q. You were released from Buttonsville
 19 in August of 2005?

20 A. Yes.

21 Q. Did you ever end up going back to
 22 prison after that?

23 A. I violated February of this year.

24 Q. What was the violation?

25 A. Leaving the state without

1 Williams 211
 2 permission. Possession or consumption of
 3 marijuana, open container of alcohol, failure to
 4 report -- I mean it was like five violations and
 5 I can't remember them all.

6 Q. Did you have to go back to
 7 Huttonsville or someplace else?

8 A. No.

9 Q. What happened?

10 A. In order to go back to the penal
 11 system you have to be proven to be a threat to
 12 society. I was a full-time college student and
 13 I worked full-time. The violations that I
 14 incurred were not serious enough for them to
 15 render a decision to put me back in prison. So,
 16 they opted to giving me what I would consider a
 17 second shot.

18 Q. Was there any administrative
 19 sanctions against you; did you have to do a
 20 certain amount of days before you were released
 21 again or they just had a hearing and that was
 22 it?

23 A. No, we had a parole revocation
 24 hearing and an individual had conducted a
 25 hearing and she, during the course of her

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1 Williams 212
 2 examination, the evidence that was presented
 3 against me, she determines whether I am fit to
 4 go back to society.

5 Q. Of the charges that you were cited
 6 with, did they sustain any of the charges
 7 against you at the hearing?

8 A. Well, they didn't really have to
 9 sustain any of the charges against me. I pled
 10 guilty to all of them, with an explanation.

11 Q. As a result of that, was your
 12 parole revoked?

13 A. No.

14 Q. You were able to stay out?

15 A. I'm here, yes.

16 Q. Are you still under parole as of
 17 this time?

18 A. Yes. I anticipate being on parole
 19 for about a year.

20 Q. Since the test in April of 2004
 21 have you had any other blood tests, HIV test for
 22 HIV?

23 A. Yes.

24 Q. When was that?

25 A. I don't know. I would have to look

1 Williams 213
 2 at that court order that you and my counsel got.

3 Q. Court order.

4 MR. GELLER: He's referring to --
 5 Miss Poritz and I stipulated that he
 6 should undergo further testing for HIV to
 7 confirm his status.

8 MR. SILVERSON: He did.

9 Q. That test was negative;
 10 correct?

11 A. Yes.

12 Q. Would it refresh your memory if I
 13 said it was done in either January of '06 or May
 14 of '06?

15 MS. LINDSAY: I think it was July.

16 MR. GELLER: I think, we can just
 17 put on the record, so it's clear. This
 18 test was done, pursuant to an order of
 19 Judge Baer who is presiding over this
 20 action, while at the Prime Care
 21 Medical Facility, which is part of the
 22 Southern Regional Jail.

23 MR. SILVERSON: That test under
 24 court order was done and you received the
 25 results.

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1 Williams 214
 2 MR. GELLER: Yes, that's right.

3 Q. How is your health generally today,
 4 are you in good health; would you consider
 5 yourself to be in good health?

6 A. I consider myself in good health.
 7 Yes.

8 Q. Are you currently under the care of
 9 a psychiatrist or a psychologist?

10 A. I'm under the care of no one.

11 Q. Are you currently employed?

12 A. Yes.

13 Q. What do you do?

14 A. I fry chickens for KFC. And I am
 15 going to start doing individual home care.

16 Q. As a home care attendant?

17 A. Yes. This would comprise of
 18 administering medication to a particular
 19 individual named Thelma Boston. I would cook
 20 her food, take her shopping, take her to her
 21 doctors appointments, stuff of this nature.

22 Q. Are you being licensed for that?

23 A. I've already been certified.

24 Q. As of today you're in generally
 25 good health, other than this deposition today?

1 Williams 215
 2 A. I am in excellent health. I get up
 3 every morning, I do my calisthenics, once a week
 4 I go jogging. I'm in fine health.

5 MR. SILVERSON: Do you have any
 6 questions?
 7 MR. GELLER: I don't think we have
 8 anything to add right now. We ask for
 9 the opportunity to review the transcript
 10 and sign it.

11 MR. SILVERSON: Yes, absolutely. I
 12 don't think I have anything else.
 13 MR. GELLER: Maybe we'll confer for
 14 a second with our client.
 15 Off the record.

16 (Whereupon, a discussion was held
 17 off the record.)
 18 EXAMINATION BY
 19 MR. GELLER:

20 Q. Mr. Williams, I would like you to
 21 explain what happened after you were in
 22 Buttonsville, you were released and then you
 23 violated parole. Were you again incarcerated?
 24 Did you understand my question?

25 A. I understand the question.

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1 Williams 216
 2 I left Huttonsville Correctional Facility
 3 when I did I was violated for parole in February
 4 of 2006.

5 Q. After you were violated, were you
 6 incarcerated again as a result of the violation;
 7 yes or no?

8 A. Yes.

9 Q. Where?

10 A. At Southern Regional Jail.

11 Q. When were you released?

12 A. I was released October 13, 2006.

13 MR. GELLER: That's all.

14 * * *

15 (Whereupon, the deposition is
 16 concluded on the following page to allow
 17 for a jurat.)

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1 Williams 217
 2 CONTINUED EXAMINATION BY
 3 MR. SILVERSON:

4 Q. You were in from February to
 5 October -- you violated?

6 A. From February?

7 Q. '06 to October of '06?

8 A. Correct.

9 Q. Where is Southern Regional Jail?

10 A. Beckley, West Virginia -- excuse
 11 me, it's in Beaver, West Virginia.

12 MR. SILVERSON: Thank you.

13 MR. GELLER: Nothing further.

14 (Time concluded: 4:15 p.m.)

15 JIMMIE MECCYA WILLIAMS

16 Subscribed to and sworn to before me
 17 this ____ day of _____, 2006.

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1 Williams 218
 2 L I N D E X

3 WITNESS

4 Jimmie Meccya Williams

5 EXAMINATION BY

6 Mr. Silverson	PAGE NO.
7 4, 216	
8 Mr. Geller	215

9 E X H I B I T S

10 DEFENDANT'S	PAGE NO.
11 A	81

12 I n f o r m a t i o n T o B e S u p p l i e d

13 17-3; 35-4; 35-17; 127-16; 142-6; 142-19,
 14 144-19; 166-16

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1 Williams 219
 2 C E R T I F I C A T E

3 STATE OF NEW YORK)

4 ISS.:)

5 COUNTY OF NASSAU)

6 I, JOSEPH MALTZMACHER, a shorthand
 7 reporter and Notary Public within and for the
 8 State of New York, do hereby certify:

9 That JIMMIE MECCYA WILLIAMS, the witness
 10 whose examination before trial is hereinbefore
 11 set forth, was duly sworn by me and that such
 12 examination before trial is a true record of the
 13 testimony given by such witness.

14 I further certify that I am not related
 15 to any of the parties to this action by blood or
 16 marriage; and that I am in no way interested in
 17 the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set
 19 my hand this 1 day of December 2006.


 JOSEPH MALTZMACHER

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ERRATA SHEET FOR THE TRANSCRIPT OF:

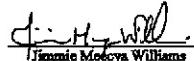
Jimmie Meccya Williams

November 17, 2006

Jimmie Meccya Williams v. Todd Lazarus and St. Clare's Hospital and Health Center

Page	Line	From	To	Reason
17	3	(INSERT)	October 1995	Insertion
28	11	Bear	Bear	Transcription error
140	23	1996	1986	Transcription error

Subscribed and sworn to before
me this 14th day of November 2007.



Jimmie Meccya Williams

Sarah B. Crotty
Notary Public

My commission expires on

01/26/2016

